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THE

NORTH AMERICAN REVIEW.

EDITED BY ALLEN THORNDIKE RICE.

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Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1882.

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JULY, 1882.

No. 308.

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NORTH AMERICAN REVIEW.

No. CCCVIII.

JULY, 1882.

EMERSON AS A POET.

THE death of the greatest of American men of letters—a man who was at once an elemental thinker and an elemental power—immediately drew forth such a series of tributes to his genius and character, from such a wide variety of thoughtful minds, that it is difficult at this date to say anything of him which has not been said before. But perhaps, in surveying him as a poet, some additional reasons may be given in proof that he was original in the sense in which the word is applied to the recognized masters of song.

In estimating the relative worth and rank of a poet, we are bound to consider not merely his possession of "the vision and the faculty divine," but the penetration and extent of his vision and the originality of his faculty. Did his spiritual insight go deeper than that of other poets of his age and generation? Did he advance beyond the recognized frontier of the ideal world in his time, and add a new province to it? Were his verses imitations or revelations? Did his poetic faculty work on old materials, adding only an individual flavor to new combinations of the old, or did he create or spiritually discern new materials for poetic treatment? In the case of Emerson, these questions can be answered only by a survey of what had been done by the great poets of the century, when (to use General Sheridan's significant phrase) he "took the affair in hand."

Everybody in the least acquainted with the history of the literature of Great Britain knows that, during the later years of the last century, an insurrection broke out against the tyranny of the school of Dryden and Pope, as exercised by their degenerate successors. This revolt was called "a going back to nature"; and Burns and Cowper, each from a widely different point of view, exemplified it in fresh and original poems. One of Burns's songs, or one of Cowper's minute descriptions of natural objects, when placed by the side of the conventional verse, or rather the rhymed prose, of the time, made the latter appear thin in substance, meager in meaning, and entirely destitute of any poetic quality whatever. There was no possibility of a new Dryden or Pope coming forth to vindicate the worth of the old poetic method; that method was then represented in the vapid translations of Hoole and the plaintive imbecilities of Hayley; and after Burns had sung and Cowper had described, there could be no revival of the poetry of nature which did not deny the validity of the conventional canons and standards of "taste" which such critics as Dr. Johnson had announced. Whatever may have been the merits of the wits and poets of the Age of Queen Anne, it must be confessed that the rebellion against their authority ended in producing a new era in English poetry, comparable only to that great outburst of poetic inspiration which occurred in what is called the Age of Elizabeth.

The man who stands in literary history as the head and heart of this revolution was William Wordsworth. He it was who first, among the poets of his day, aimed not only to describe but to interpret Nature. By constant communion with her forms and varying aspects he came at last to see that she was spiritually *alive*—that his own soul was not only touched and inspired by intently viewing her external shows and appearances, but that the soul animating Nature was akin to his own; and that if

> "The discerning intellect of man
> Were wedded to this goodly universe
> In love and holy passion,"

the fantastic dreams of the old mythological poets would be more than realized—would, indeed, be

> "A simple produce of the common day."

And then, anticipating this marriage of the mind which pervades the universe of matter with the mind of man, he professes to write in advance its mystic epithalamium:

> "I, long before the blissful hour arrives,
> Would chant, in lonely peace, the spousal hour
> Of this great consummation; and by words
> Which speak of nothing more than what we are,
> Would I arouse the sensual from their sleep
> Of death, and win the vacant and the vain
> To noble raptures."

It is needless to state how long Wordsworth worked, year after year, in many forms of poetic expression, to inculcate his poetic creed to an unresponsive and unsympathetic public. The creed itself only became popular when it was taken up by Byron; and then the splendor and passion of Byron's rhetoric made it accepted, though it did not necessarily make it understood. Most of the eminent poets of the century more or less felt the influence of Wordsworth's fundamental conception of nature as spiritually alive; in poem after poem they reproduced it, modified, of course, by their own individuality and way of looking at nature and man; but in no literary history of the nineteenth century has Wordsworth's priority in the matter been fully recognized. Now, nothing is more capable of demonstration than the fact that, in the summer of 1798, Wordsworth visited the ruins of Tintern Abbey, and that in a few days he wrote the poem under that name which introduced into English poetry an element which it never had before, and has never parted with since. Chronologically, it precedes everything in the same strain written by Byron, Shelley, or any other poet of the time; and, in addition to this, the circumstances under which it was written plainly indicate that its thoughts and sentiments had long been familiar to his experience, and had, indeed, been domesticated in his soul before he poured them forth in those memorable lines. In his note to the poem he simply says:

> "Tintern Abbey, July, 1798. No poem of mine was composed under circumstances more pleasant for me to remember than this. I began it upon leaving Tintern, after crossing the Wye, and concluded it just as I was entering Bristol in the evening, after a ramble of four or five days with my sister. Not a line of it was altered and not any part of it written down till I reached Bristol."

Indeed, he only finished it in time to be printed in that volume of "Lyrical Ballads," the conjoint production of Coleridge and himself, which at once marked an era in English literature, and gave the proprietor of the copyright good cause for moaning. Cottle, the publisher, tells us that "the sale was so low, and the severity of most of the reviews so great, that its progress to

oblivion seemed to be certain." He printed five hundred copies of a volume that contained "The Rime of the Ancyent Marinere" and "Lines written a few miles above Tintern Abbey,"—not to mention "We are Seven," and other pieces of Wordsworth now universally popular,—and was glad to get rid of them as best he could. Afterward, in selling out his stock to the Longmans, he found the copyright of the "Lyrical Ballads" was valued at *nil;* and he had therefore the pleasure of returning it to the authors, as a present which might be good for something to them, though it had proved worse than good for nothing to him.

From this inauspicious beginning the grand poetic revolution of the nineteenth century tottered and stumbled on for a number of years, until Byron popularized it. The "Lyrical Ballads" indicated the two extremes of Wordsworth's genius. In "We are Seven," he showed that a simplicity of style bordering very nearly on the literal sing-song of a nursery-rhyme might, if it had genuine feeling back of it, touch and unseal fountains of emotion in the universal human heart; that a poet can be thoroughly child-like, abounding in the joyous consciousness of life, without degenerating into childishness, which is the pathetic sign of the senility of that second childhood which is the dreadful reverse of the first; and that the refusal of the guileless child to admit the idea of death into her mind shows that the glad perception of the possession of life is a prophecy of its indefinite continuance. It is curious that this little poem—the one by which Wordsworth is universally known, which is in all school-books, and which has been committed to memory by thousands ignorant of his other works—would never have been printed had the advice of a near and dear friend of the author been taken. This friend found little fault with other pieces contained in the volume; but he implored Wordsworth not to make himself "everlastingly ridiculous" by including "We are Seven" in the collection. Men of original genius, like Wordsworth and Emerson, are easily indifferent to the invectives or gibes of their pronounced enemies. The real danger comes from professed friends, who beg them, from the best of motives, to distrust their genius whenever its audacities give too violent a shock to accredited notions of "taste."

If "We are Seven" represents the simplest expression of Wordsworth's genius, the lines on Tintern Abbey represent its loftiest. Artistically it is almost perfect. Though written in

blank verse, the poem has such a deep, impassioned undertone of melody, and its transitions from one mental mood to another are so finely harmonized, that Wordsworth was partly justified in his hope that it might be called an "ode." After describing his youthful delight in the forms and colors of nature, when they needed no interest "unborrowed of the eye," but were to him "as an appetite" and "haunted him like a passion," he goes on to state the compensations which, in after years, thought and imagination supplied for the departure of youthful impulse and ecstasy.

> "That time is past,
> And all its aching joys are now no more,
> And all its dizzy raptures. Not for this
> Faint I, nor mourn nor murmur; other gifts
> Have followed; for such loss, I would believe
> Abundant recompense. For I have learned
> To look on nature, not as in the hour
> Of thoughtless youth; but hearing oftentimes
> The still, sad music of humanity,
> Not harsh nor grating, though of ample power
> To chasten and subdue. And I have felt
> A Presence that disturbs me with the joy
> Of elevated thoughts; a sense sublime
> Of something far more deeply interfused,
> Whose dwelling is the light of setting suns,
> And the round ocean, and the living air,
> And the blue sky, and in the mind of man;
> A motion and a spirit that impels
> All thinking things, all objects of all thought,
> And rolls through all things."

In this passage we have the spiritual side of Wordsworth. He had fairly earned the right to have this interior life and meaning of nature revealed to him, because from his pure youth to his pure manhood he had been her worshiper. She yielded to him the secret of some of her spiritual laws as she yielded to Newton, one after the other, her physical laws. Intense devotion to her was the condition on which she distributed her favors, giving impartially to seer or scientist the wages due to his love and work. The victories of the scientist, however, are palpable. His discoveries can be demonstrated, so that to refuse belief in them is a confession of ignorance and weakness of understanding. On the contrary, the discoveries of the poet depend for their reception and verification on the mental and moral condition and

experience of his readers. He has no mathematical tests by which to convict his unsympathetic critics of stupidity or lack of spiritual perception. Accordingly, just in proportion as he departs from mechanical rules in announcing the results of his vital inspiration, his very superiority to his critics furnishes the grounds for his condemnation.

Wordsworth was, during the largest portion of his life, the victim of hostile criticism. It is commonly taken for granted, even at the present day, that this criticism was provoked and justified by his own faults and absurdities in carrying his revolt against the current poetic diction of the last century to a ridiculous excess. Jeffrey, it is persistently said, only exposed and held up to scorn the poet's puerilities, commonplaces, and obvious violations of good taste—that is, the literary sins which Wordsworth committed through his passion for "the natural" in poetic expression. The fact is that the "Edinburgh Review," in its long fight with Wordsworth, objected not so much to "the natural" as to the supernatural element in his poems. While happily ridiculing some examples of the bald realism of the poet in describing his rustic heroes and heroines, it admitted that he was a wonderfully accurate observer of external nature, and sympathized deeply with the primal affections of the human heart. Its contempt was specially reserved for the poet's spiritual philosophy of nature, which it called "stuff"; year after year it continued to quote those passages in his poems which are now considered to prove his originality and excellence, as evidences of his imbecility of thought. Indeed, Jeffrey was afflicted with a kind of mental color-blindness in his criticism of Wordsworth. He denied the existence of what he was disqualified to see; and his dogmatism of judgment was in exact proportion to his lack of perception. The poet himself once declared, with unusual bitterness, that Jeffrey, as a lawyer, had "taken a perpetual retainer from his own incapacity to plead against my claims to public approbation."

Probably the subtilty and depth of Wordsworth's insight into nature is even now unappreciated by a large class of highly cultivated men of the world. He tells us, in one of his prefaces, that the secret of the loftiest poetry is hidden from confirmed worldlings, though they may themselves be competent to write brilliant and telling verses, and pass in popular estimation for poets.

It might be supposed that a man like Macaulay, with his enormous range of reading, his intimate acquaintance with many literatures, and his intercourse with the most scholarly society in Great Britain, would be able to know, as late as 1850, the real position which Wordsworth occupied in the history of English poetry; yet, in July of that year, he notes in his diary that he has read "The Prelude," and his opinion of it is this: "The story is the old story. There are the old raptures about mountains and cataracts; the old flimsy philosophy about the effect of scenery on the mind; the old crazy, mystical metaphysics; the endless wildernesses of dull and prosaic twaddle; and here and there fine descriptions and energetic declarations interspersed." It will be seen that, in this judgment, Macaulay reëchoes Jeffrey's scorn of what is essential to an intelligent understanding of the poet. And to crown all, the person selected to write the biography of Wordsworth, his own nephew,—"Christopher Wordsworth, D. D., Canon of Westminster," as he calls himself on the title-page of his two dull octavos,—is very careful to guard his illustrious uncle from any reputation he might gain as a poet at the expense of casting doubt on his conventional orthodoxy of creed. He is as blind as a bat and deaf as an adder to the revelations which Wordsworth derived through the sight and hearing of his soul. When the biographer comes to the lines on Tintern Abbey, we naturally expect he will welcome it as the poem which inaugurated a new era in English poetry; but he does nothing of the kind. On the contrary, he thinks that "the reflecting reader" may "be of opinion that a worshipper of nature is in danger of divinizing the creation and of dishonoring the Creator, and that, therefore, some portions of this poem might be perverted to serve the purposes of a popular and pantheistic philosophy." When "the reflecting reader" conceives of this "danger" to the Christian religion, whither is he to fly for consolation? Why, to the "Evening Voluntaries" of the same poet. In these he will learn that Wordsworth had no idea of "dishonoring the Creator" in announcing that he might be spiritually discerned in the material universe he had created.

These examples of the inapprehension and misconception of Wordsworth's genius, by persons whose culture and position place them above the ordinary mass of readers, double the difficulty of showing in what respect Emerson advanced beyond Wordsworth, and beyond all of Wordsworth's successors, in the

spiritual interpretation of nature. It must be taken for granted that Wordsworth's experience was the result and record of genuine insight, and that it cannot be curtly dismissed as "crazy, mystical metaphysics," before Emerson can even obtain a hearing; for he undoubtedly was more crazy and mystical than Wordsworth dared to be, while independently following in the path which Wordsworth had marked out.

It was a happy thought of a Boston newspaper editor to reprint Emerson's poem of "Good-bye, proud World! I'm going Home," when his death was announced. The verses were written when the poet was a teacher in a Boston school, and his "Sylvan Home" was a boarding-house in Roxbury, only two or three miles distant, but at that time a rustic paradise of woods, rocks, and hills. In these lines he made his first poetic declaration of intellectual and moral independence. Most of the hours of the day he spent in teaching, by the accredited methods, English, Latin, elocution, and rhetoric to youths and maidens; and the duty was evidently a drudgery; for when, in the afternoons, he escaped to the country, he found many a secret nook, bearing no print of "vulgar feet, and sacred to thought and God," where he might indulge to the utmost his communion with nature; and then burst forth his exulting joy in his deliverance from tasks which limited the free expression of his individual genius:

"Oh, when I am safe in my sylvan home
I tread on the pride of Greece and Ro[illegible]
And when I am stretched beneath the [illegible]
Where the evening star so holy shines,
I laugh at the lore and pride of man,
At the sophist schools, and the learned clan;
For what are they all, in their high conceit,
When man in the bush with God may meet?"

It is unfortunate that this poem should be generally considered as the product of his maturer years, when he escaped from Boston to his chosen home in Concord. The verses are those of a young college graduate, supporting himself by teaching school during the period he is studying to prepare himself for a profession. As the descendant of a long line of "godly ministers," Emerson was naturally drawn to the pulpit rather than to the dissecting-room or the bar; and he began his professional career as a Unitarian clergyman. Though, in a few years, he resigned

his ministerial charge, because he differed from his church and congregation in regard to the obligation of the Lord's Supper, there is a singular unanimity of opinion as to his excellence as a pastor and preacher; and this opinion seems to have been based rather on the singular beauty and sweetness of his character than on his doctrines or his eloquence. There was a celestial something in him to which his admirers gave the word "angelic." Even his theological opponents among the Unitarians admitted the exceptional purity of his conduct and behavior, while regretting his audacities of speculation. They found that nothing they said could provoke him into controversy; and as, like a sunbeam, he had glided into their sect, so, like a sunbeam, he glided out of it. The moment he felt that his position as a clergyman interfered with his mental liberty, he quietly dropped the "Reverend" before his name, and became plain Mr. Emerson. How deeply he sympathized with his church while he was its pastor, is indicated by a hymn written on the occasion of one of its anniversaries. As this is not included in either of the two volumes of his poetical works, it may here be quoted as showing the depth, sweetness, and solemnity of his religious sentiment at very near the time when his connection with the church he served was voluntarily broken off:

"We love the venerable house
Our fathers built to God;
In heaven are kept their grateful vows,
Their dust endears the sod.

Here holy thoughts a light have shed
From many a radiant face,
And prayers of tender hope have spread
A perfume through the place.

"And anxious hearts have pondered here
The mystery of life,
And prayed the Eternal Spirit clear
Their doubts and end their strife.

"From humble tenements around
Came up the pensive train,
And in the church a blessing found,
Which filled their homes again.

"For faith, and peace, and mighty love,
That from the Godhead flow,
Showed them the life of heaven above
Springs from the life below.

They live with God, their homes are dust;
But here their children pray,
And, in this fleeting lifetime, trust
To find the narrow way."

As far as printed memorials can aid us, Emerson's progress in his chosen direction seems not so much a growth as a leap. The publication of the little volume called "Nature" lifted the heretic Unitarian parson into a leader of a new school of thought, and New England transcendentalism dates its existence from that charming and suggestive book. Its circulation was limited; the author's share of the profits of its sale could hardly have paid his tailor's bill for three months; but it was studied as a kind of new gospel by a number of enthusiastic young students in our colleges, and its influence was ludicrously disproportioned to its circulation. At the time of its publication, it was impossible to meet educated men and women in any social circle in Boston without hearing "Nature" discussed—the elderly scholars assailing and the younger defending it; but still some four or five hundred copies of the book itself supplied the public demand. What is called "the popular mind" was not then, and has not since, been much affected by the volumes in which Emerson condensed his original thinking into the smallest possible compass; but dilutions of Emerson have made reputations by the score. His sentences have furnished texts for sermons; his paragraphs have been expanded into volumes; and open minds, representing every variety of creed, have gladly appropriated and worked out, after their own fashion, hints and impulses derived from this creedless seer and thinker. His comprehensiveness is shown by the fact that those timid readers who have an instinctive repugnance to the general drift of his teaching are still surprised by finding something in him which meets their immediate spiritual need; and gratefully taking that, they leave the heretical matter to such spirits as find inspiration and nutriment in it. It may be said that, while fragments of Emerson re-appear in almost all phases of modern thinking, he has left behind him no Emersonian.

In considering Emerson as a poet, writing in verse, the objection comes at once that his greatest poetic achievements have been in prose. The question is asked, Can you name one of his essays in which the poetic sentiment and faculty do not predominate? While his command of verse was limited to a few meters,

do you not feel that, when the fetters of rhyme are removed from the expression of his thought and feeling, the rhythm of some of his prose sentences is more essentially melodious than the best of his short, flashing, seven-syllabled couplets? Emerson himself, with a secret liking for verse and an aching desire to master its difficulties, once declared to a friend that the question whether his power lay in prose or verse was referred to Carlyle and John Stuart Mill, and they decided at once for prose. If Tyndall, an ardent admirer of Emerson's poetry, had been selected instead of Mill, probably no decision would have been rendered, for the judges would have disagreed.

Perhaps it may be asserted that the finest, loftiest, and deepest thoughts of Emerson, being poetic in essence, would naturally have found vent in some of the forms of poetic expression, for they announce spiritual facts and principles, vividly and warmly perceived, which are commonly not content with being stated, but carry with them an impulse and demand to be sung or chanted. If his piercing insight had been accompanied by a sensibility corresponding to it, he would have given us more poems and fewer essays; but there was a certain rigidity in his nature which could be made to melt and flow only when it was subjected to intense heat. Some persons were inclined to confound this rigidity with frigidity of character, and called him cold; but the difference was as great as that between iron and ice. The fire in him, which would instantly have dissipated ice into vapor, made the iron in him run molten and white-hot into the mold of his thought, when he was stirred by a great sentiment or an inspiring insight. It is admitted that he is worthy to rank among the great masters of expression; yet he was the least fluent of educated human beings. In a company of swift talkers he seemed utterly helpless, until he fixed upon the right word or phrase to embody his meaning, and then the word or phrase was like a gold coin, fresh and bright from the mint, and recognized as worth ten times as much as the small change of conversation which had been circulating so rapidly around the table, while he was mute or stammering. That wonderful compactness and condensation of statement which surprise and charm the readers of his books were due to the fact that he exerted every faculty of his mind in the act of verbal expression. A prodigal in respect to thoughts, he was still the most austere economist in the use of words. We detect this quality in his

poetry as in his prose; but, in his poetry, it is found to be compatible with the lyric rush, the unwithholding self-abandonment to the inspiration of the muse, which commonly characterizes poets who, in their enthusiasm, have lost their self-possession and self-command.

In writing of poetry, Emerson admitted that his ideal poet never had an actual existence. The greatest poets of the world only suggested, here and there, the possible "Olympian bard" who would "sing divine ideas" on earth without any break in the continuity of his inspiration. His character would ever be on a level with his loftiest thought and aspiration, and "so to be" would be the sole inlet of "so to know." The secret of the universe such a bard would melodiously reveal; but actual poets had only caught glimpses of it in certain happy moments when, with "a shudder of joy," they discerned the Real shining through the mask of the Apparent. The mask was visible nature; the real was the soul within and behind it.

In regard to this all-animating soul, the idealism of Emerson varied with his moods. There are numerous passages in his works which, with a simple change of terms, would make his doctrine of the "Over-Soul" agree with the orthodoxy of Jonathan Edwards. Substitute "Holy Spirit" for "Over-Soul" in his affirmation of the communion of the divine with the human mind, and the heretic becomes almost a Calvinist. "When," Emerson says, "this soul breathes through the intellect of man, it is genius; when it breathes through his will, it is virtue; when it flows through his affection, it is love." The impotence of man when deprived of this divine inspiration and support has hardly ever been more strongly stated than in some of Emerson's sentences and couplets. "The blindness of the intellect begins when it would be something of itself. The weakness of the will begins when the individual would be something of himself. All reform aims, in some one particular, to let the soul have its way through us; in other words, to engage us to obey." It is needless to multiply quotations in which Emerson affirms that what is done by man is as nothing when compared with what is done through him.

This seeming conformity to the Westminster Catechism is, however, soon found to be only a part of a scheme of thought which includes some heresies. Emerson's leading idea was that the whole universe of thought and things was a complex mani-

festation of a Central Unity; that "the All" was a manifestation of "the One"; that the universal mind was in the minutest atom of nebulous mist as in the brain of Plato or Newton; and that man, in his highest perceptions of nature, not only communed with the soul animating the visible universe, but saw and felt that his individual soul was identical with it; for he says: "The world is mind precipitated, and the volatile essence is ever escaping again into the state of free thought. Hence the virtue and pungency of the influence on the mind of natural objects, whether inorganic or organic. Man imprisoned, man crystallized, man vegetative, speaks to man impersonated." In the heat of developing this thought, Emerson seems at times to be a pantheist, representing the universal mind as impersonal, though coming now and then to self-consciousness in certain great individuals elected or selected to be its organs—these men, however, being but waves in the great sea of existence, elevated above other men for the moment by some wind of inspiration sweeping over its surface, but subsiding quickly to the ordinary level of the infinite ocean of being of which they form an inconsiderable portion. They emerge only to be submerged. But his opinions on this question vary with the variations in his mental and moral experience of life, and in one essay he seems to deny what he may vehemently affirm in the next. It is hopeless to search his writings for any consistent theory of deism or pantheism. Still one thing is certain, that the deity he adores, whether an Infinite Person or an Infinite It, is "immanent" in the universe of matter and mind, and stamps it with the impress of unity. In the little poem called "Blight," he complains that too many modern scientists have lost the sense that nature is alive with spirit. They look only at the surfaces of things; and, in this respect, he contrasts them unfavorably with the old astrologers and alchemists, who at least preferred things to names:

> "For these were men,
> Were unitarians of the united world,
> And wheresoever their clear eye-beams fell,
> They caught the footsteps of the SAME."

And in "Xenophanes" he declares:

> "All things
> Are of one pattern made; bird, beast, and flower,
> Song, picture, form, space, thought, and character

Deceive us, seeming to be many things,
And are but one. Beheld far off, they part
As God and devil; bring them to the mind,
They dull its edge with their monotony.
To know one element, explore another,
And in the second re-appears the first.
The spacious panorama of a year
But multiplies the image of a day,—
A bell of mirrors round a taper's flame;
And universal Nature, through her vast
And crowded whole, an infinite paroquet,
Repeats one note."

In "Wood-Notes" we see Emerson in his most rapturous mood. There is inspiration in every line. In direct contact with nature, he throws off every shackle of conventionality, and sings as though he were the first and only man—the Adam, born with the birth of created things, and gladly and exultingly witnessing and welcoming the creation whose secret purpose and plan he discerns.

"All the forms are fugitive,
But the substances survive.
Ever fresh the broad creation,
A divine improvisation,
From the heart of God proceeds,
A single will, a million deeds.
Once slept the world an egg of stone,
And pulse, and sound, and light was none;
And God said 'Throb!' and there was motion,
And the vast mass became vast ocean.
Onward and on, the eternal Pan,
Who layeth the world's incessant plan,
Halteth never in one shape,
But forever doth escape,
Like wave or flame, into new forms
Of gem and air, of plants and worms.
* * * * * *
The world is the ring of his spells,
And the play of his miracles.
As he giveth to all to drink,
Thus and thus they are and think.
He giveth little or giveth much,
To make them several or such.
With one drop sheds form and feature;
With the second a special nature;
The third adds heat's indulgent spark;
The fourth gives light which eats the dark;
Into the fifth himself he flings,
And Conscious Law is King of Kings."

Could a pantheist have defined the Universal Being as "*Conscious* Law"? Has any believer in the personality of God ever hit upon a better definition?

Emerson, in an essay on art, declares that the artist must "disindividualize" himself, and become an organ through which the universal mind acts. "There is," he says, "but one reason. The mind that made the world is not one mind, but *the* mind. Every man is an inlet to the same, and to all of the same." The delight we take in a work of art "seems to arise from our recognizing in it the mind that formed nature again in active operation. . . . A masterpiece of art has in the mind a fixed place in the chain of being, as much as a plant or a crystal." In "The Problem," the best known of all his poems, this thought is developed with wonderful power and beauty. The founders of religions, the great poets and artists, all men who have done things which are universally admitted to be great and admirable, were "disindividualized"—the recipients of an inspiration from the "vast soul that o'er them planned," and, in all their works, "building better than they knew." It is needless to quote passages from this poem, because so many thousands of cultivated people know it by heart. But why is it called "The Problem"? The answer must be sought in the verses with which it begins and closes. Like all poets and philosophers who are classed as pantheists, Emerson had a pronounced, almost a haughty, individuality. Throughout his life he guarded this with a jealous care. He never could endure the thought of being the organ of any fraternity, the disciple of any master, the representative of any organization, the spokesman of any body of reformers, however noble might be their objects. His essays swarm with criticisms on the one-sidedness of every philanthropic association of his time; and it may be said, as an illustration of the general impression regarding the purity, integrity, strength, and sweetness of his character, that he was the only man in New England who could criticise the "reformers" without becoming the object of their invective. It was impossible for Emerson to part with his own individuality, even in celebrating the achievements of the inspired saints, bards, and artists who had seemingly parted with theirs. He did not desire to "disindividualize" himself, while intensely appreciating other individualities. "I like," he says,—

"I like a church; I like a cowl;
I love a prophet of the soul;
And on my heart monastic aisles
Fall like sweet strains or pensive smiles;
Yet not for all his faith can see
Would I that cowlèd Churchman be."

Then burst forth the magnificent lines which seem to destroy the individual in the act of exalting him as the selected instrument of a power higher than himself; and yet the conclusion agrees with the beginning. After all, it must still, he thinks, be said that there is something which distinguishes the person who receives the celestial impulse and aid from all other persons.

"I know what say the fathers wise,—
The book itself before me lies:
Old *Chrysostom*, best Augustine,
And he who blent both in his line,
The younger *Golden Lips* or mines,
Taylor, the Shakespeare of divines.
His words are music to my ear,
I see his cowlèd portrait dear;
And yet for all his faith could see,
I would not the good bishop be."

All this practically means: "I would not be otherwise than what I am, Ralph Waldo Emerson."

Indeed, however much Emerson may vary in his statements, —at one time placing the emphasis on the universal mind, and at another on the individual mind,—the general drift of his writings goes to show that the purpose of the spirit which underlies "Nature" is to build up intrepid manhood in human nature. In "Monadnoc," the poet professes to be at first disgusted with the clowns and churls who have built their habitations on the slopes of the mountain; but he finds consolation in the thought that they are the progenitors of a finer race to come.

"The World-soul knows his own affair,
Forelooking when he would prepare,
For the next ages, men of mould
Well embodied, well ensouled;
He cools the present's fiery glow,
Sets the life-pulse strong but slow:
Bitter winds and fasts austere
His quarantines and grottos, where
He slowly cures decrepit flesh,

And brings it infantile and fresh.
These exercises are the toys
And games to breathe his stalwart boys:
They bide their time, and well can prove,
If need were, their line from Jove;
Of the same stuff, and so allayed,
As that whereof the sun is made,
And of the fiber, quick and strong,
Whose throbs are love, whose thrills are song."

But what is the mental mood in which the human mind, lifted above its ordinary limitations, sees into the heart of Nature? Emerson affirms it to be the mood of ecstasy—a kind of celestial intoxication which, while it may blind the eye of the soul to the clear perception of things as they appear, sharpens and brightens its perception of things as they really are. In "Bacchus" we have both a statement and example of this inspiration. "Bring me," he exclaims,—

"Bring me wine, but wine which never grew
In the belly of the grape,
Or grew on vine whose tap-roots, reaching through
Under the Andes to the Cape,
Suffered no savor of the earth to 'scape.
* * * * * * *
We buy ashes for bread;
We buy diluted wine;
Give me of the true,—
Whose ample leaves and tendrils curled
Among the silver hills of heaven
Draw everlasting dew;
Wine of wine,
Blood of the world,
Form of forms, and mould of statures,
That I intoxicated,
And by the draught assimilated,
May float at pleasure through all natures;
The bird language rightly spell,
And that which roses say so well.

"Wine that is shed
Like the torrents of the sun
Up the horizon walls,
Or like the Atlantic streams which run
When the South Sea calls.

"Water and bread,
Food which needs no transmuting,
Rainbow-flowering, wisdom-fruiting,
Wine which is already man,
Food which teach and reason can.

"Wine which Music is,—
Music and wine are one,—
That I, drinking this,
Shall hear far Chaos talk with me;
Kings unborn shall walk with me;
And the poor grass shall plot and plan
What it will do when it is man.
Quickened so, will I unlock
Every crypt of every rock.

"I thank the joyful juice
For all I know;
Winds of remembering
Of the ancient being blow,
And seeming-solid walls of use
Open and flow.

"Pour, Bacchus! the remembering wine;
Retrieve the loss of me and mine!
Vine for vine be antidote,
And the grape requite the lote!
Haste to cure the old despair,—
Reason in Nature's lotus drenched,
The memory of ages quenched;
Give them again to shine;
Let wine repair what this undid;
And where the infection slid,
A dazzling memory revive;
Refresh the faded tints,
Recut the aged prints,
And write my old adventures with the pen
Which on the first day drew,
Upon the tablets blue,
The dancing Pleiads and eternal men."

In this poem, published long before the "Origin of Species" appeared, we have a theory of development and evolution more far-reaching than Darwin's; and Emerson anticipates even the doctrine of natural selection, in some of his other poems. Thus, for instance, in "The World-Soul," he says that Destiny

"The patient Dæmon sits,
With roses and a shroud;
He has his way and deals his gifts,—
But ours are not allowed.
* * * *
He serveth the servant,
The brave he loves amain;
He kills the cripple and the sick,
And straight begins again.

For gods delight in gods,
And thrust the weak aside;
To him who scorns their charities,
Their arms fly open wide."

And, again, in the "Ode to W. H. Channing," we have this declaration:

"The over-god
Who marries Right to Might,
Who peoples, unpeoples,—
He who exterminates
Races by stronger races,
Black by white faces,—
Knows how to bring honey
Out of the lion;
Grafts gentlest scion
On pirate and Turk."

The general idea of the "survival of the fittest" re-appears often in Emerson's writings. To benevolent men it seems the scientific form of the theological doctrine of "election"; but Emerson considered it in connection with his theory that what we call evil is a roundabout way of producing good. The spiritual laws which regulate the universe cannot be overturned by powerful individuals, for it is notorious that what they desire to do in violation of these outlying laws meets with such resistance that the effect produced is very different from the effect intended. Evil is good in the making, not a positive substance, but a mere imperfection of good. "The sharpest evils are bent into that periodicity which makes the errors of planets and the fevers and distempers of men self-limiting." "Good is a good doctor, but Bad is sometimes a better." "If one shall read the future of the race hinted in the organic effort of Nature to mount and meliorate, and the corresponding impulse to the Better in the human being, we shall dare affirm that there is nothing he will not overcome and convert, until at last culture shall absorb the chaos and gehenna. He will convert the Furies into Muses, and the hells into benefit."

It is in view of such sentences as these that we must consider a few of Emerson's poems in which his theory of evil is somewhat too bluntly expressed. Such is "Uriel," which has troubled many of Emerson's admirers who were attracted to him because of the emphasis he laid on the moral sentiment. It was the very intensity of his conception of the universal dominion of this sentiment which made him deride all efforts to resist it.

Leaving out of view, however, Emerson's poetic philosophy of nature and man, and the poems which specially represent it, he is still the author of some short pieces which are at once admirable and popular. Such are "Each and All," "The Rhodora," "The Snow-storm," "The Humble-bee," and "Forerunners," each of which justifies the dictum of their author, that "Beauty is its own excuse for being." In "Forerunners," the poet tells us of his joyous and resolute pursuit of unattainable beauty. The pursuit of his "happy guides" results in disappointment, —

> "For no speed of mine avails
> To hunt upon their shining trails";

yet, though never overtaken, he feels they are never far distant.

> "Their near camp my spirit knows
> By signs gracious as rainbows.
> I thenceforward, and long after,
> Listen for their harp-like laughter,
> And carry in my heart for days
> Peace that hallows rudest ways."

It is a marked distinction of this little poem, one of the most exquisite in the language, that it testifies to the possibility of finding a certain content in following continually an ideal never reached. Most poets eloquently celebrate their discontent when they learn that the earth they inhabit is different from the heaven they conceive. Byron is specially enraged at what he considers this injustice of Providence.

Emerson's philosophy in this matter was not due to a dull perception of beauty in any of its forms. No poet was more keenly susceptible to it; no poet ever shrank from deformity with such an instinctive repulsion; and moral ugliness specially irritated him, not only because it was wicked, but because it was "disagreeable." Goethe's masterpiece, Faust, "abounded," he once wrote, "in the disagreeable. The vice is prurient, learned, Parisian. In the presence of Jove, Priapus may be allowed as an offset, but here he is an equal hero. The book is undoubtedly written by a master, and stands unhappily related to the whole modern world; but it is a very disagreeable chapter of literature, and accuses the author as well as the times. Shakespeare could, no doubt, have been disagreeable had he less genius, and if ugliness had attracted him. In short, our English nature and genius has made us the worst critics of Goethe."

Indeed, Emerson felt in this matter like his own humble-bee, in his avoidance of "aught unsavory or unclean." And his "Ode to Beauty" indicates that the sense of beauty penetrated to the inmost center of his being, and was an indissoluble element in his character.

"Who gave thee, O Beauty,
The keys of this breast,—
Too credulous lover
Of blest and unblest,—
Say, when in lapsed ages
Thee knew I of old?
Or what was the service
For which I was sold?
I found me thy thrall
By magical drawings,
Sweet tyrant of all!

* * * * * *

Lavish, lavish promiser,
Nigh persuading gods to err!
Guest of million painted forms,
Which in turn thy glory warms!
The frailest leaf, the mossy bark,
The acorn's cup, the rain-drop's arc,
The swinging spider's silver line,
The ruby of the drop of wine,
The shining pebble of the pond,
Thou inscribest with a bond,
In thy momentary play,
Would bankrupt nature to repay.

* * * * * *

Thee, gliding through the sea of form,
Like the lightning through the storm,
Somewhat not to be possessed,
Somewhat not to be caressed,
No feet so fleet could ever find,
No perfect form could ever bind.

* * * * * *

The leafy dell, the city mart,
Equal trophies of thine art;
E'en the flowing azure air
Thou hast touched for my despair;
And, if I languish into dreams,
Again I meet the ardent beams.
Queen of things! I dare not die
In Being's deeps past ear and eye;
Lest there I find the same deceiver,
And be the sport of Fate forever.
Dread Power, but dear! if God thou be,
Unmake me quite, or give thyself to me!"

Emerson once, in speaking to a friend, remarked that he could write in prose by spurring his faculties into action, but he could write in verse only in certain happy moments of inspiration, for which he had to wait. In our limited space it is impossible to do more than to quote a few verses in which this inspiration is recorded. Here are specimens from "Wood-Notes":

"For Nature beats in perfect tune,
And rounds with rhyme her every rune,
Whether she work in land or sea,
Or hide underground her alchemy,
Thou canst not wave thy staff in air,
Or dip thy paddle in the lake,
But it carves the bow of beauty there,
And the ripples in rhyme the oar forsake.

* * * * * * *

Who liveth by the ragged pine
Foundeth a heroic line;
Who liveth in a palace hall
Waneth fast and spendeth all.

* * * * * * *

The rough and bearded forester
Is better than the lord;
God fills the scrip and canister,
Sin piles the loaded board.

* * * * * * *

Go where he will, the wise man is at home,
His hearth the earth,—his hall the azure dome.

* * * * * * *

He saw beneath dim aisles, in odorous beds,
The slight Linnæa hang its twin-born heads,
And blessed the monument of the man of flowers,
Which breathes his sweet fame through the northern bowers.

* * * * * * *

Lover of all things alive,
Wonderer at all he meets,
Wonderer chiefly at himself,—
Who can tell him what he is?
Or how meet in human elf
Coming and past eternities?"

From his poems under the title of "Initial, Dæmonic, and Celestial Love," lines without number might be cited in proof that he had studied this passion scientifically. His report on its various manifestations has the exactness of the scientist combined with the glow of the poet. His Cupid is represented as especially dangerous through his eyes.

"In the pit of his eye's a spark
Would bring back day if it were dark

* * * * * *

He lives in his eyes;
There doth digest, and work and spin,
And buy and sell, and lose and win;
He rolls them with delighted motion,
Joy-tides swell their mimic ocean.
Yet holds he them with taughtest rein,
That they may seize and entertain
The glance that to their glance opposes,
Like fiery honey sucked from roses.

* * * * * *

Deep, deep are loving eyes,
Flowed with naphtha fiery sweet;
And the point is paradise
Where their glances meet."

Emerson has two poems, "Dirge" and "Threnody," which stand for examples of what may be called intellectualized pathos. The grief does not burst forth with passionate directness from the heart, but is passed through the intellect and imagination before it is allowed expression in words. Tennyson's "In Memoriam" is the most striking illustration in English literature of this process of restraining emotion in order to make its finer effects on character permanent. The poet lays particular emphasis on the office of imagination in softening and consecrating the grief which it at the same time makes enduring.

"Likewise the imaginative woe,
That loved to handle spiritual strife,
Diffused the shock through all my life,
But in the present broke the blow."

In Emerson's "Dirge" this spiritualized sadness is exquisitely expressed. His dead brothers are still kept sacredly near to his soul, for they are lodged in the memory of his realizing imagination, and no lapse of years can make the sense of his loss of "the strong, star-bright companions" of his childhood and youth a calamity to fade into forgetfulness. In essential pathos, what can exceed the sorrow expressed in this stanza of the poem:

"I touch this flower of silken leaf,
Which once our childhood knew,
Its soft leaves wound me with a grief
Whose balsam never grew."

The "Threnody" on the loss of his child—

> "The hyacinthine boy, for whom
> Morn well might break and April bloom,
> The gracious boy, who did adorn
> The world whereinto he was born"—

has more of the character of an outburst of the heart under the agonizing feeling of an irreparable calamity, but its pathos is still of the kind which lies "too deep for tears." Indeed, the solid manhood of the father, rooted in ideas, and strong to resist the "blasphemy of grief," was never better exemplified than in this tender and beautiful "Threnody." The father has now followed the child. Is it irreverent to suggest that the anticipation in the line which concludes the poem he has now verified?—

> "Lost in God, in Godhead found."

There are stanzas in Emerson's poems which read like oracles. Their truth to our moral being is so close that we should hardly be surprised if they were prefaced with a "Thus saith the Lord." And, indeed, Emerson announces them with the confident tone of the seer and the prophet. They rank with the loftiest utterances which have ever proceeded from the awakened heart and conscience and intellect of man. The Concord Fourth of July "Ode" (1857), which opens with the magnificent imagination,

> "O tenderly the haughty Day
> Fills his blue urn with fire,"

closes with the inspiring declaration that

> "He that worketh high and wise,
> Nor pauses in his plan,
> Will take the sun out of the skies
> Ere freedom out of man."

The short poem called "Freedom" ends with these soul-animating lines:

> "Freedom's secret wilt thou know?
> Counsel not with flesh and blood;
> Loiter not for cloak or food;
> Right thou feelest, rush to do."

The "Boston Hymn" (1863), which begins with "the Word of the Lord," closes with an impressive verse in which is condensed

the whole divine law of retribution. What poet before Emerson ever gave eyes to the thunderbolt?

> "My will fulfilled shall be,
> For, in daylight as in dark,
> My thunderbolt has eyes to see
> His way home to the mark."

In the "Voluntaries," which are infused throughout with the heroic feelings roused by the civil war, there is one quatrain that stands out from the rest with startling distinctness and power:

> "So nigh is grandeur to our dust,
> So near is God to man,
> When Duty whispers low, *Thou must*,
> The youth replies, *I can*."

But perhaps the noblest of these affirmations of the absolute obligation of men to follow their consciences, rather than what appears to be their interests, is contained in four lines with the heading of "Sacrifice." This quatrain is a poem in itself,—an epic poem:

> "Though love repine, and reason chafe,
> There comes a voice without reply,—
> *'Tis man's perdition to be safe,*
> *When for the truth he ought to die.*"

The reason that such grand utterances as these thrill us with unwonted emotion is to be found in our instinctive belief that the poet's character was on a level with his lofty thinking. He affirmed the supremacy of spiritual laws because he spoke from a height of spiritual experience to which he had mounted by the steps of spiritual growth. In reading him, we feel that we are in communion with an original person, as well as with an original poet,—one whose character is as brave as it is sweet, as strong as it is beautiful, as firm and resolute in will as it is keen and delicate in insight,— one who has earned the right to authoritatively announce, without argument, great spiritual facts and principles, because his soul has come into direct contact with them. As a poet he often takes strange liberties with the established laws of rhyme and rhythm; even his images are occasionally enigmas; but he still contrives to pour through his verse a flood and rush of inspiration not often perceptible in the axiomatic sentences of his most splendid prose. In his verse he gives

free, joyous, exulting expression to all the audacities of his thinking and feeling; and perhaps this inadequate attempt to set forth his merits as a poet may be appropriately closed by citing, from the poem which bears the title of "Merlin," his own conception of what a poet should be and should do:

"Thy trivial harp will never please
Or fill my craving ear;
Its chords should ring as blows the breeze,
Free, peremptory, clear.
No jingling serenader's art,
Nor tinkle of piano strings,
Can make the wild blood start
In its mystic springs.
The kingly bard
Must smite the chords rudely and hard,
As with hammer or with mace;
That they may render back
Artful thunder, which conveys
Secrets of the solar track,
Sparks of the supersolar blaze.
Merlin's blows are strokes of fate,
Chiming with the forest tone,
When boughs buffet boughs in the wood;
Chiming with the gasp and moan
Of the ice-imprisoned flood;
With the pulse of manly hearts;
With the voice of orators;
With the din of city arts;
With the cannonade of wars;
With the marches of the brave;
And prayers of might from martyr's cave.

"Great is the art,
Great be the manners, of the bard.
He shall not his brain encumber
With the coil of rhythm and number;
But, leaving rule and pale forethought,
He shall aye climb
For his rhyme.
'Pass in, pass in,' the angels say,
'In to the upper doors,
Nor count compartments of the floors,
But mount to Paradise
By the stairway of surprise.'"

EDWIN P. WHIPPLE.

THE BUSINESS OF OFFICE-SEEKING.

SOME fifteen years or more ago a man, long, lean, and leathery, entered the outer office of the Assistant Treasurer of the United States, at New York, and in a voice that told plainly that he came from one of the interior "deestricks" of the State, asked for the Assistant Treasurer. Upon inquiry as to his business with that officer, he said that he was A—— B—— of Cattaraugus, and that he "had called to see 'bout a 'p'intment, 'nef Cattaraugus hed her puppohshin; 'nef she hedn't, he'd like to make applicashin fur her sheer." The chief clerk comprehended the situation quickly, and surmising that the question could be settled with less trouble than is common on such occasions, he asked the visitor to take a seat while an examination was made; whereupon the gentleman from Cattaraugus slowly peeled himself of his overcoat and sat down. It proved to be as the chief clerk had supposed; Cattaraugus *had* her proportion. The record was shown to her representative; whereupon he rose and, silently inserting himself again into his overcoat, went sadly forth to begin his return journey to the remote regions of the Empire State, in the course of which he had time enough to ruminate upon the opportunities and the limitations of office-seeking.

This man was, without a doubt, some village politician, who thought that he had two chances for his "'p'intment": one, his claim upon the party in payment of personal—may we not say professional?—services rendered; the other, Cattaraugus's claim for "her sheer." Nor, according to long-established usage, was there anything ridiculous, or even unreasonable, in his expectation. His departure, without protest or importunity, when he was shown that his county had its full proportion of the clerkships in the New York office, showed that he understood very well what he was about when he made his visit of reconnaissance.

For this matter of proportionate representation in the distribution of what is called Government patronage is one as to which the law is like that of the Medes and Persians. In that blue-book in which are recorded the name, the employment, and the salary of every person in the service of the United States Government there are two columns, in one of which is also recorded the place where each was born, and in the other the State from which he was appointed. A man born in Maine may be appointed from Missouri; that is, having become a citizen of Missouri, he takes what our Cattaraugus friend would call "a sheer of her puppohshin." When Missouri's proportion is filled, the gates are closed against her citizens until one of them vacates his office. This law of the distribution of office is a consequence of the federative and copartnership business character of our general Government, in which the States are individually represented, and upon which they have individual claims, according to their population. The principle is rigidly observed throughout the management of the general Government's affairs. It forbids the nomination of a President and a Vice-President, or of two Cabinet officers, from the same State, just as it does the giving of a county more than its share of the appointments in any one bureau. Absolute and unvarying compliance with this law may not be possible; but its enforcement is sought, and by all politicians the law is not only observed but respected.

This law, like the constitutional requirement that members of Congress, whether in the Senate or in the House of Representatives, shall be residents of the States which they represent, and, like the variation in the several States as to the laws and conditions of marriage, shows that the political entity often called America, but more properly United States of North America, is not in any proper sense of the word a nation. It is even much less so than the United Kingdom of Great Britain and Ireland; for in that, although a diversity as to marriage obtains, so that a woman married in one part of the kingdom may be unmarried in another, representation in the legislature is untrammeled by restraint of place. A member of Parliament has only to be a British subject and chosen by a sufficient constituency. Palmerston, an Irish peer living in London, may represent the Isle of Wight; Gladstone, living also in London, may represent Edinburgh, the capital of another country. Marriage, however, being at the foundation of civilized society, is the supreme test of

nationality. Nothing more socially absurd than to call that a nation in one part of which a woman is married and at the same time in another husbandless—in one part of which a citizen is legitimate, with all consequent rights and privileges, and in another illegitimate, *nullius filius*. The English people are a nation, the Scotch another nation, the Irish another, although they are united in one kingdom, and their union is not federative, and is therefore much closer and more intimate than that of the States which form our Union. In the consideration of the subject now before us, it should never be forgotten that the federal and several character of our Government affects even the composition of our civil service, and that it must necessarily, therefore, affect the question of civil service reform. It cannot cease to do so without a radical change in the nature of our political constitution.

This law in the management of political affairs, and the political condition out of which the law has grown, and by which it is accompanied, have combined with our social habits to make politics and office-seeking a business—a business followed with as single an eye to personal profit and advancement as any other, not even excepting journalism or the Christian ministry. I shall ever remember the remark made to me by a man who held an office of great influence and trust and profit in New York—it was nearly twenty years ago. I spoke to him about his position, and he replied with sadness, almost with bitterness, "I shall never cease to regret the day when I gave up my profession [the law] and went into politics. After all, it don't pay." It was the first time that I had heard a man avow plainly that he had taken up politics as a profession, trade, or business, by which he expected to get money. But since then I have heard the same admission in terms, or implicitly, from many others who had "gone into politics."

That politics should become a business, taken up for profit, was not contemplated by the framers of our system of government. It was supposed by them that there would be always a class of superior, substantial, high-minded men, from whom their less notable fellow-citizens would select those to whose care they would commit the public interests. These men must be paid, of course; for here very few could afford to serve the public unpaid; but it was not supposed that to a man thought worthy of being a legislator or a public officer of position the pay of his office

would be a matter of serious consideration in his determination to enter the public service. The political constitution and the social condition of the country, however, made the unexpected change inevitable. If there had been a leisurely class of even very moderate wealth, inherited and staid upon the land, the majority of the legislators and incumbents of high public office would have been selected from this class; and, indeed, some approach to this custom was made in our colonial period in the few years immediately following. But in the absence of such a class, the fact that legislators were paid — paid for their daily services as long as they were in session, and paid also their traveling expenses — made, was sure to make, could not, without the abrogation of human nature, fail to make, politics a business, followed merely for its mingled return of money-profit and personal influence. And as in trade the inferior and cheaper article always drives out the superior, and in money the debased coin or the paper promise surely and soon supplants the standard, so in our trading politics the inferior man — man inferior intellectually, socially, morally — very soon began to displace his superior, until, about thirty years ago, we had reached a level at which a man like William Tweed might reasonably hope to sit in the Senate of the United States, to represent the Government of the United States at one of the first capitals of Europe, and even to be President. That it was so, no well-informed person will for a moment dispute.

Now, in referring to this notorious person as an example and an illustration, I have not in mind his colossal robberies. Let us set them aside, and suppose that he was as honest as a Turk ish porter or a Cuban slaver (both men who can be trusted with open bags of untold gold), and then, what manner of man was he to hold an honorable and an eminent position in the public service of a great people? To him, and to his like, the descent — I will not say from Washington and John Adams and Alexander Hamilton, and their like; let us pass by the heroes — but from John Quincy Adams, from De Witt Clinton, from Daniel Webster, with all his faults, and from the men among whom they were only the first in position and in power — this descent is like a descent from heaven into hell. And yet we all know that as those men were but the eminent representatives of a class among whom our legislators and public officers were sought, so he was only the most successful (because the most daring and

unscrupulous) of a class of professional politicians who, ignorant, coarse, low-bred, and low-lived, were rapidly taking entire possession and control of our public affairs.

This, too, was inevitable. In a community in which the vote of every man who is not yet in prison counts one, and no more, as soon as the mass of men discover their political power, they will use it for their own personal advantage. They will send to their legislature, not the man of the best ability and education, of the most sterling character and the most dignified bearing; they will send him who will flatter their personal vanity and serve their private interests. They will have their eyes open chiefly to the latter point; but they will also find a pleasure in setting aside the superior man in favor of one of themselves — not always the man with the smoothest tongue, but generally him of the fewest scruples. Hence it is that within the last thirty years our legislative bodies have deteriorated so notably that now even the Senate of the United States, which is filled not by a popular vote, but by that of legislative bodies, contains men whose presence there or even in much inferior positions would have been morally impossible in the days of our fathers. We may deplore this, but we cannot help it. That it is so is no special evidence of moral or intellectual deterioration in our people. It is merely that political power has passed into the hands to which, under our political constitution and with our conditions of society, it was inevitably tending, and that they who possess it are using it, so far as they are able, for their own personal pleasure and profit, and not for the good of the whole country.*

It is also inevitable that the man who gives up a profession or a business, and "goes into politics," will soon seek other compensation than his salary for the sacrifice he has made to the

* Mr. Dorman B. Eaton, in his interesting history of civil service and its reform in Great Britain — a work which, notwithstanding its intrinsic merit, has little applicability to the politics and society of the United States — says: "Nothing has more significantly illustrated the growth and predominance of partisan theories and habits in this country during this generation than the many officers originally appointable, which are now elective. It was natural that the people should think their direct choice would secure better officers than the spoils system of appointment" (p. 390). Not so: what was thought of, what was sought, was not better officers, but officers who would be directly under the thumbs and at the beck and call of the men on whose votes their tenure of office depended.

public interests; and he will not be long in finding it. The immense and rapidly circulating wealth of the country, and the many vast business projects which are more or less affected by legislation, make money-getting by politics easy if not sure. Hence it is that very few men have taken an active part for any length of time in our general, or even in our State, politics dur ing the last thirty years without becoming at least moderately rich; unless, indeed, they were rich when they entered the political arena, and did so to further their own interests and those of the great corporations of which they were members.

Politics cannot, however, be thus made a business unless it is made profitable, in some degree, at least, to all who take an active part in it. The men who furnish the force which the political leaders direct, must be paid, in one way or another, for their time, their trouble, and their enthusiasm. It is not to be expected that in a country in which there is not only no governing class, but no class of recognized superiority, men will do the work of politicians who, except for a success due to mere popular favor, are no better than themselves, and see the leaders profit, while they, whose favor makes those leaders what they are, stand without the public garner and get nothing. Politics has thus become a business for all who take any part in it. Office, opportunity of profit, position, or advancement of some kind, is looked for by all of that large class who are known among their friends as politicians. Even when they do not directly seek office, these men, when their party is in power, expect (to use a phrase common among their sort) "to have their share of what's going." In many cases all that they expect is opportunity for money-getting in some way; and in a country of such great wealth, such vast and yet undeveloped resources, such business activity, and such numerous public projects as this, those who control public affairs have in their hands means of rewarding political friendship not inferior at least to those of the absolute monarchs of past ages. Rewards of this sort are generally expected by and bestowed upon the more important and socially reserved class of politicians. In this class, however, there are some who, in return for their money and their countenance, expect positions that will add to their importance; and there are many who are satisfied by pensioning upon the public incompetent and otherwise objectionable members of their own families, who otherwise would be pensioned upon them. The mass, however,

of the active politicians—those who serve on minor committees, work in political clubs, help to get up public meetings and "demonstrations," and generally do the work that tells at the polls on election day, look for office of some sort. They do their work as other men do theirs, for the return it brings them. If there were no pay or no hope of pay, there would soon be no work done.*

Hence it is that every prominent politician has followers who must be rewarded. He rewards them, if he can do so, by obtaining for them some public office with as little to do and as much to receive as possible; and when he cannot do this, which not unfrequently happens, he rewards them out of his own pocket. Mr. Morrissey—the Honorable John Morrissey, prize-fighter, professional gambler, and Member of Congress; (and we all know that there have been worse men in Congress than he)—being asked the secret of political success, replied, "Stick to your friends, and be free with your money." A similar reply was made to a similar question by a prominent political leader in New York, who is of Mr. Morrissey's nationality, but of very different habits of life. And who that has means of knowing will doubt that William Tweed's political strength lay in his ability to draw after him a multitudinous clientage by hope of reward? Nor were his followers and flatterers confined to the inferior population of the great city that he ruled, or even to successful political adventurers. The men who sought him as a fellow director in their corporate enterprises, and who lent him their names to bolster his political position, were men who could serve him in one way much as he could serve them in another. Should it ever be forgotten that a bronze statue of William Tweed was about to be erected in New York, and that the gentlemen who proposed to set up this brazen

* It may not be generally known—I for one did not suspect it until I learned it from a man who had long been seeking a minor office (and my after observation confirmed his information)—that men who have or are supposed to have influence at Washington, or with such official persons as the Post-Master of New York, or the Police Commissioners, are now very generally paid by those office-seekers in whose favor they use their influence successfully; the amount of the *honorarium* (let us above all things be exquisite in our phraseology) depending upon the amount of the salary obtained. This is not regarded by either party as bribery, or "anything at all out of the way," but as mere commission on business done. The whole matter stands on a business footing.

image—if his own face could have been but molten down for it!—were themselves—some of them, at least—not unknown or unhonored among their fellow-citizens!*

Now, the worst fact in relation to Tweed was not himself, but the condition of society that made a Tweed possible. For do we not all know, do we not all feel with a moral certainty, that Mr. Tweed's clientage, or the greater part of it, suspected, and more than suspected, that he was filling his pockets (and some of theirs) with public money dishonestly obtained, and that even if they (his fellow-directors and committee-men included) had certainly known, by secret information, that it was so, they would have held their peace and have given him their votes and their voices, and even their hands, so long as he was not exposed publicly, and so long as they received their compensation—what the Cattaraugus man called their "sheer"—whether it was money, or opportunity for money-getting, or office, or a participation in the orgies of the Americus Club? We do know all this sufficiently, or else we are willfully blind or stupidly ignorant.

In a country whose politics are at this moral level, and in which there are at least two hundred thousand offices to be distributed by the general government and by the States, is it strange that office-seeking has become a business, followed for the most part by men who are not the ablest, or the most admirable and estimable members of the community, men of whom, as a whole, Guiteau is not indeed a fair representative, but whom, as a class, he does in some sort represent? Nay, must we not rather confess that that unlovely creature, the habitual office-seeker, is as natural a product of our political and social condition as the scrub-oak is of the soil which has been laid waste by the removal of the primeval forest? He has become a necessary part of our political machinery, an important part; and, all circumstances being taken into consideration, it would be unreasonable to find fault with the party leaders for using him. Even statesmen of the higher sort find that the most and the best that they can do

* See the New York newspapers of 17th March, 1871. Among those who proposed to erect this monument were A. Oakey Hall, Mayor of New York, H. W. Genet, State Senator, Albert Cardozo, Judge of the Supreme Court, Richard O'Gorman, Corporation Counsel, W. E. Roberts, Member of Congress, Isaac Bell, Commissioner of Charities, and Charles P. Daly, First Judge of the Common Pleas.

is to use the motives and direct the forces of the world around them as it is,—to manage their world, not to make it. How much more imperative is this necessity upon the politician whose task is limited to the simple effort to get his party into power, or to keep it there!

Nor shall we err if we recognize among those who look for and desire official position of a certain sort some who are of a character much superior to the commonly entertained notion of the office-seeking class. Aspiration to political place and power is not in itself to be either contemned or condemned; and it is not only natural but right that the man who has political influence, and who uses it to the advantage of his party, should desire, and should receive, some benefit and outward investiture as the stamp of his success and the recognition of his standing; quite as natural and as right as that he who ministers at the altar shall live by the altar. The existence of such aspiration among the better class of young men who are inclined to politics furnishes the astute and mature politician with his most efficient tools. The working of this motive is somewhat in this wise:

A rising young lawyer, in a small town in — well, let us take the first and topmost State upon the map — Maine, attends a political meeting, and being tempted to propose or to oppose some measure in the interests of his party, is successful, and is talked about; and soon, when some local election is approaching, he goes up to town and calls upon the leader of his party, whom we may as well call Mr. Maine, and telling him of the condition of things, says that he hopes that he may be able to do something for the success of the party, and modestly hints at his former little success. Whereupon the great leader, who probably never heard his name before, beams out upon him, and perhaps laying his hand upon his shoulder, says: "Oh, you need not tell me anything about that. Do you suppose that I am ignorant of your brilliant success in that affair? We have had our eyes upon you for some time past, and look to you as just the man to sustain the party in the present important and delicate political crisis at Punkinton. If you will only take the matter earnestly in hand, I am sure that you will carry us through triumphantly." Whereat a bolt of delight shoots through that young Punkintonian's heart, and he says within himself, "Good land! has the great Mr. Maine had his eyes on me, and for some time, and does he look to me to carry us through at Punkinton!" Then

goes he forth from before Mr. Maine with his face shining and his pulses bounding, and straightway takes the road to Punkinton, where he goes to work, and works to the loss of sleep and the loss of business, and, being a cleverish fellow and popular, he carries his point. Then comes a letter of congratulation from the great Mr. Maine, with intimations that if he, Mr. Maine, should ever be elevated, by the choice of his fellow-citizens, to a position in which he should require the services of discreet counselors and persuasive advocates, his eyes must needs involuntarily turn toward Punkinton. Whereupon that young man declares in his heart that a statesman of such insight and such capacity of appreciation, one so altogether admirable, shall not lack his services toward his elevation to a position in which he would need the services of a discreet counselor and a persuasive advocate. He works on until he becomes the leading Democratic or Republican politician in his county; and, finding his business about to give up him, he gives up his business and goes into politics. The great Mr. Maine — who still has his eye on Punkinton and sends thither some of his lieutenants, nay, perhaps even goes there himself and beams and breathes upon his acolyte and his followers — is at last elevated and so-forth and so-forth! He becomes Governor of his State, or perhaps United States Senator; and then, to the surprise of Punkinton, various bits of patronage well understood to be at his disposal are given, not to the hero who saved Punkinton from the jaws of the opposition, but to unheard-of nobodies in some obscure part of the State. The young politician, now not so young nor quite so modest as he was when we first met him, seeks the great man in his elevation and recounts his services, and the bland and cheering promises of his patron. "My *dear* sir," he hears in reply, "you cannot suppose that the party or that I am ignorant of the inestimable service which your labors and your brilliant talents have rendered us; or that they are destined in due time to have their *fitting* reward. These little scraps of patronage that have been recently distributed are not fit for a man of your pretensions. We are looking forward to greater things, and it is not impossible" — with a dignified assumption of modesty — "that I may be called upon to advise in regard to some important appointments really not unworthy of the consideration of such a man as you have shown yourself to be; and then you may count surely upon my best services and most grateful memory." Back he goes to Punkinton, somewhat heavy-

hearted indeed, but with hope new-kindled in his bosom, and there he works for party and patron, the former always implying the latter; and indeed he can do nothing else, for he is committed to him body and soul. He has sold himself to Mr. Maine for hopes and promises, and has so bound himself to him in the eyes of all his little world that he must continue his servant and slave, not only for consistency's sake but necessity's; for he has given up his business and gone into politics. And there we leave him.

The country is full of Punkintons and their leading politicians; and Mr. Maine may be found, in some stage of development, in every State of the Union. Pennsylvania has him no less than New York, Georgia no less than Ohio. Nor is he a new creation of our times or our country. He has lived in every country that has had both politics and liberty; for he does not flourish under despotism. Doubtless, there were Maines in China before the days of Confucius. What is peculiar to us in the condition of public affairs which has just been set forth is that it must needs be. There is no ridding ourselves of it without a radical change in the structure of our politics and our society—unless, indeed, we are able to eliminate the trifling element human nature from our problem. With those who cannot see this, it would be quite useless to argue. All that we can hope to do for the elevation and the purification of our politics in this respect, it would seem, is to be obtained only by the removal of the political plunder. The carcass must be put not only out of the reach of the eagles, but out of their sight. So long as two hundred thousand offices are continually to be distributed and redistributed in a country in which one man is as good as another, and every man's vote counts one and no more, there will be at least ten seekers after every one of the two hundred thousand;—a noble army indeed, if it were composed of the choicest members of society. The effect of all which upon the country is deplorable—morally, intellectually, politically, socially, materially.*

* As I myself held a place—one of very small importance—in the public service for many years, a denunciation of office-seeking on my part makes it almost necessary for me to say that I did not ask for my appointment, nor seek it in any way. It was offered to me unexpectedly, and given specifically on the ground that I was a man of letters, who had done the State some little service, and who might be expected to do it a little more. I was requested to

A general consciousness of the shabby and depressing condition of our civil service, and of the reproach it brings upon us, finds its expression in what is called a "movement" for civil service reform. It is now generally felt by thoughtful and decent people that this making the minor offices of the Federal and State Governments the spoils of party victory is a custom constantly working toward political corruption and social degradation; and there is naturally a very strong desire among such people that the custom may be done away with. This feeling has been seized upon by some politicians and pæne-politicians, and made the key-note of a political cry, which the leaders of each of the great political parties fear somewhat to hear as a slogan on the side of their opponents, but much more to find it adopted as a creed upon their own. Their natural apprehensions are, however, in this case too quickly excited. For here they—the political leaders on whichever side—are masters of the situation. A mere public sentiment upon a matter of the minor morals, however widely diffused, is not to be compared as an active force to the ravening hunger of a vast body of men, each eagerly intent upon his own personal interest. The desire felt by all who value political purity and public decency must, in the nature of things, be a languid motive power in comparison with the empty greed of two million office-seekers, and the terrible necessities of some hundreds or thousands of party leaders to have wherewithal to stop their mouths and fill their bellies. Leading politicians, indeed, will not wisely seem indifferent to the necessity of civil service reform; but they may, without much fear of unatonable offense, neglect it, or manipulate it to suit their own necessities.

Nevertheless, the question as to the bettering and cleansing of our civil service is to those who are not politicians, and who

go through the form of making an application, and my sponsors were Gulian Verplanck, Luther Bradish, William Curtis Noyes, George Templeton Strong, Horace Greeley, Dr. Bellows, Dr. Chapin, and Henry Ward Beecher; the letter of recommendation having been written by my friend Mannsell B. Field, at the dictation of Mr. Bradish. After three or four years' service I was promoted (to the enormous salary of $2,000 a year) upon the unsolicited recommendation of my superior officer, Assistant-Collector (then acting collector) Clinch, whom I had not known before my appointment, and with whom my relations were then official only. Not long ago I came upon a copy of Mr. Bradish's letter of recommendation, on which I had irreverently scrawled, "Great cry and little wool."

yet give thought to political affairs, one of very great importance. All such persons feel, and have long felt, that the general office-seeking habit of which such crimes as Guiteau's and such men as Guiteau are the natural outcome (for there is no wisdom in blinking the latter fact), is so degrading in its influence that it should be broken up, if possible, at whatever cost of the efficiency of mere party machinery.* The efforts toward this much desired end thus far, although they have resulted in "movement," in "agitation," both of a somewhat vague form and uncertain operation, and even in "association,"—not, I take it, of a strongly coherent nature,— seem to have the fault of ignoring three things: first, the political organization of the country; next, its social and moral condition; and last, not least, human nature—three forces of a sort not to be set aside easily and with a high hand at this or at any other time, in this or in any other country. If we are to have a Presidential election every four years, with elections of members of Congress every second year, and State elections for Governor and State Senators and what not, and town and city elections no less often, and there are two hundred thousand offices to be distributed by the Federal and the State Governments, you cannot, while human nature remains what it is, prevent the distribution of those offices by the leading men of the party in power among their supporters but in two ways: One, the depriving them (by a law that can be enforced) of the power of thus rewarding their successful partisans, which (our political constitution and modes of public action remaining what they are) would inevitably lead to a greater corruption in legislation for the purpose of supplying the place and the motive power of "patronage"; the other the

* In his introduction to Mr. Dorman B. Eaton's book (heretofore referred to), Mr. George William Curtis says that the civil service reform movement was begun by Mr. Thomas Allen Jenckes, a representative in Congress from Rhode Island from 1863–71, whose attention and that of many others "had been drawn to the subject at the close of the war."

If Mr. Curtis had read some articles upon the subject which appeared in the "Courier and Enquirer" before 1861, and a letter upon it, signed "A Yankee," which appeared in the London "Spectator" a considerable time before the end of the war, he would probably have set back the hand of his dial a few years. I am sure that he would at least regard their writer as now entitled to speak again upon the question, and as one who has not taken it up lightly or newly.

allowing this power to remain in the hands of the party leaders, but modifying and limiting its operation in a way that would diminish the interest which the office-seeking class takes in politics, or rather in party agitation. With all who believe that the endless turmoil of party strife and bickering in which we live, of which the one motive and the one point of public interest seems to be possession of office,* has a tendency, strong and sure, to make the tone of our public affairs frivolous, and sordid, and corrupt, and who would gladly see the energy of our people turned to higher, better, more useful, and happier endeavors, there can be no doubt which of these alternatives is to be preferred. What a blessing would it be to the country if that political condition which is figured in the fact that one President is hardly in the White House before political journalists begin to discuss who shall be his successor, and pæne-politicians hasten to nominate some man, upon whom they set up the claim of discovery—if the condition of which this is the sign could be so changed that people might be compelled to rest for some little while, say only two or three years, from squabbling over offices, and have time between the periods of party strife to give themselves to some of the nobler and better objects of human endeavor, or even to the hearty and intelligent enjoyment of life, which Americans do less than any other people under the sun, and thus to elevate themselves above the position of mediocre money-getters and petty party politicians.

Nor is the connection of office-seeking with party politics the worst of it. It is bad in itself. It is the sign of existing weakness and evil, and the cause of more. That in a country like this, so vast, and rich, and free that men swarm to it from all the old folk-hives of the earth,—that here there should be a considerable body of young men, intelligent, and even moderately educated, who are ready to take up with little offices of routine duty, bringing in a few hundreds, or at most a thousand or two a year, with no stimulus to enterprise, no reward for exertion, is in itself shameful; it is a reproach upon our society which cannot be

* See the newspapers for four months before and four months after the accession of Mr. Garfield—see them ever since the accession of General Arthur. The news from Washington is always about offices; always that, and little else.

gainsaid.* What we need for the preservation of our self-respect, no less than for the purification of our politics and the elevation of our civil service, is the extinction of this widely diffused seeking for office, so that a young man with health and strength and life before him will not think of seeking, hardly of accepting, one of those numberless minor public positions the routine duties of which may be satisfactorily and fitly performed by men of maturer years, to whom character and ability and industry have not brought success; and how many such men there are, only the charitable and dispassionate observer of life can know.

To bring about this most desirable end, and at the same time to elevate our civil service, there could be no better means than the destruction of the business of office-seeking. Now, one great defect of the proposed system of reform by appointment to the lowest grade of office upon competitive examination, and to higher only from the lower grades, is that it perpetuates the business of office-seeking, and not only so, but raises it into the position of a recognized occupation, almost into that of a profession, with teachers, examiners, and degrees. What our politics and our society need in this respect is the turning of all men's eyes away from the two hundred thousand offices, and the causing them to look only to the independent action of their own hands and heads for the making of their living and their success in living. On the contrary, competitive examination makes office-seeking a career into which it tempts young men who, by the healthy operation of the natural laws of society, should be engaged in agriculture, in the mechanical arts, in trade or (a very few of them) in the learned professions.

Upon the question as to the worth of competitive examination as a means of providing the fittest men for the public service, I shall say little, merely remarking that the ablest, most sagacious, most trusted, and longest experienced public officer that ever was

* A Washington correspondent writing in the performance of his regular function presented this pretty sketch from real life to his readers, a short time ago:

"General Grant has been greatly annoyed by office-holders while in Washington. On Friday morning there was a collection of twenty-five or thirty of them at the front door of the White House, waiting for the General to finish his breakfast and go out for a walk. Among them were Congressmen, officers of the army, and clergymen, each one having his ax to be ground, and they paced to and fro beneath the portico in anxious expectation. Finally, about 11 o'clock, one of the doorkeepers told them that General Grant had gone down through the kitchen an hour previous, and walked away from the back door in the direction of Pennsylvania Avenue. The waiters dispersed without ceremony."

in the civil service of the United States, Charles P. Clinch, for sixteen years Deputy Collector, and for twenty-one years Assistant Collector, of the port of New York,* said to me, on the introduction of the competitive examination test, that he could not pass the proposed examination for the lowest grade, and that he was sure that his ablest subordinates could not pass it, although "some of the fools might"; and that such examinations, although they might find certain men who knew certain things, would not discover, could not discover, did not pretend to discover, the fitness of men for their positions in the long run.

On the other hand, appointment to the lowest grade of the service only, and only upon competitive examination, with appointment to higher grades only by promotions from the lower, deprives the Government of the services of mature and experienced men, who are quite capable of the duties of the higher places, but who cannot afford to begin at the bottom. Moreover, it also deprives successful party leaders of a means of rewarding political activity, which, *if used in a proper way*, is becoming to them, and a fitting and not unsafe stimulus to political action. And it may be seriously doubted whether, in a country where all politicians work for pay and must continue to do so, the best and most honest of them will consent to be wholly deprived of the privilege of recommending their supporters to office.†

Is there no way of reconciling these conflicting forces, not only with each other, but with the conditions of our politics and our society? It seems to me that there is, and that the much

* The numbers of these years may be not exactly correct; nor is it of any importance that they should be. The important fact is that Mr. Clinch, after being in the Legislature of New York at a time when men like Verplanck and Bradish and Ruggles were to be found there, was for thirty-seven years in the service of the United States as Deputy Collector and Assistant Collector. Always a Democrat of the Democrats, he was honored and trusted whichever party was in power.

† One of the most astute and experienced of British critics of politics and society, A. Hayward, remarking upon the fault found with Stendhal's (Henri Bayle's) personal friends for not doing more for him when they were in power, says: "It should be remembered that a party is a combination of persons who unite their talents and resources upon an understanding that, in case of success, the power and patronage thereby acquired shall be shared amongst them. There is nothing necessarily wrong in such a league; because those forming it may fairly claim credit for confidence in one another's honesty and capacity, as well as for having fixed principles to carry out."

desired elevation of the civil service might be brought about by very simple means—in fact, by the operation of usages and laws already well known in the service, with the addition of only one new provision; and that thus the end in view might be attained by the least disturbance of existing conditions—a method of reform always sought by prudent and practical statesmen. And although those with whom civil service reform has become the one great crying need of the time and the country, and who, like most professional reformers, clamorously insist upon the paramount virtue of their nostrum for the public weal, may turn away with disgust from any remedy which does not tear away offenses with the uprooting and the pang and the outcrying of dentistry, and which merely secures the end without violence on the one side, or the glory of a splendid operation on the other, the better part of the public, we may be sure, would welcome the quieter and more natural process.

Competitive examination—a bad method for making choice or determining fitness for any practical purpose, and weighted also politically with other inconveniences—may or may not be adopted as the only entrance to the civil service of the United States; but supposing it rejected, are we to assume that there should not be, or that there would not be, any examination at all as to fitness for the service? Not so. I have found, however, that most of those who have given this subject some consideration, without being well informed upon it, have assumed that, until the administration of President Hayes, there was no examination for appointees to the civil service, and that they were accepted without question on the nomination of party leaders. It may have been so, in fact, in too many instances; but if it were so, every case was a violation of the rules and usages of the service as then and now existing—an example of one of those prevailing abuses from the existence of which nothing can be inferred against right use.

Here follows a section of the general regulations issued in February, 1857, by the then Secretary of the Treasury, Mr. Guthrie, which directly touches our subject:

"577. The Collector should direct, in each case, a *thorough examination* of the applicant by experts in the department or branch of business in which he is proposed to be employed, of whom one shall be the *head of the department* (or branch of business), who will certify in writing the result of such examination, and the Collector will forward such certificate to the Department with

the nomination. In no case will it be permitted to an officer of the customs to appoint, as one of his subordinates, a surety on his official bond."

This regulation was properly in force (whether operative or not) in New York until the recent adoption of the new system, and is, I believe, now so in force elsewhere. The result of compliance with this order was a certificate, of which here follows a copy of the blank form:

"CUSTOM HOUSE, NEW YORK,
"COLLECTOR'S OFFICE, — *th Division*,
"———, ——, 186–.

"*Sir:* At your request we have examined ——— ——— as to his qualifications for the office of ————, and report that in our opinion he is [or is not] qualified to perform the duties of that office.

"Very respectfully,
"——— ———

"To ——— ———, Esq.,
"*Collector of the Customs.*"

Attached to this was a memorandum of the age, place of birth, residence, and occupation of the appointee. A blank order of examination (of which I have in vain sought a copy) once existed, and this order, in the case of appointees to inferior positions, was issued to the head of the department or bureau only to which they were severally nominated. It was, as I recollect (for I have received such orders), merely a formal but brief request to the head of the bureau that he would examine the bearer as to his fitness for such or such a position under him, and report the result to the Collector.

Now, it needs hardly to be said that all that is required to determine the fitness of an appointee to office is a faithful compliance with this order. Under a proper administration of public affairs, it is to the superior officer's interest that he should make the examination sufficiently thorough to satisfy himself. For such an administration makes the head of every bureau and department personally responsible for the efficient operation of his office. The work of his subordinates is his work; and for any defect in it he is liable to be called to account. He is, therefore, the person of all others to whom the efficiency and the proper official conduct of his subordinates is most important. The Treasury order making him always one of the examiners is dictated by common sense. If obeyed, it insures, as far as possible, fitness in the candidate, discipline, smooth and easy work-

ing in the business of the office—in brief, orderly and efficient administration.

That this mode of examination is sufficient for its purpose, and that it can be used as a protection against political influence, I know by experience. On one occasion, when an assistant was needed in the little bureau of which I was for some years the head, a young man presented himself with one of the orders just mentioned. I examined him and kept him under my eye for one morning, and then sent him with a letter to the Collector, saying that he was not fit for the place. Next day another came, with the same result; and then another and another, until I had sent back five, one of whom was a kinsman of a very influential person indeed, as he let me know, with a little flourish. When I next presented myself to my superior officer, he had hardly bid me good morning when he asked me, using the dry point, if I insisted on having only Harvard graduates in my office. "No, Mr. Collector," I replied; "but I do say that a young man who takes that place should know how to copy and address a letter correctly, how to make a simple calculation, and how to behave himself to his superior officer and to strangers, which not one of those you sent me did." He hesitated a moment, and then, ruefully smiling, said: "You are right; and you shall have your man. But if you knew how I am pressed by politicians to find places, you wouldn't wonder at my sending you anything that goes on two legs." Within a few days another person was sent, who proved fit and took the position, the duties of which he performed satisfactorily for some years.

I have told this story because it seemed to me to present the whole case in a nut-shell. Faithful personal examination by the superior officer is, under existing Treasury regulations, all that is necessary to protect the service against the effect of political pressure. There remains, however, one very important question: How shall Collectors, and other superior officers, Secretaries of Departments, Presidents of the United States themselves, be protected against this political pressure for places? For, so long as there are places that may be had, or hoped for, by pressure, politicians, big and little, will press for them. So long as heads of minor bureaus will accept subordinates on mere nomination by their superior, without examination and notwithstanding manifest unfitness, Collectors and other like officers will, at political urging, send them anything that goes on two legs.

The remedy here is simply fixity of tenure during good behavior. Let it be once established that places are not to be had — that is, to be made — by pressure, and party leaders will cease, must needs cease, to press. Let it be established that an efficient and well-conducted civil officer is not to be removed except for cause specifically alleged, and politicians will recommend only upon a vacancy.

As to the conduct of politicians in this respect, I feel that I am able to speak with some knowledge. Having held my position seventeen years,* under eight successive collectors, with all of whom I was in more or less confidential relations, and four of whom were my personal friends, I knew much of what went on which was not strictly public business. Moreover, I was one of the commission appointed by General Arthur, then Collector, in 1878, on the reduction of force in the New York Custom House, upon orders from the Treasury Department — part of a movement which some cynical persons declared would result in the elevation of Mr. John Sherman to the Presidency, and the political extinction of General Arthur — erroneously, as it proved. The other members of this Commission were the late Samuel G. Ogden, for thirty-seven years Auditor of the Customs in New York, and Col. MacMahon, Chief Clerk of the Fifth Division.† I believe that we all accepted our places on this ungrateful commission with great reluctance. Certainly I did so, and endeavored to be freed from it; but under the circumstances we could not refuse our services to the Collector. We all knew, of course, that in cases of removal we should be subjected to personal abuse, for which we cared little, and also to personal solicitation, which we dreaded; and we formally pledged ourselves to each other in the beginning that we would hold no correspondence, by word of mouth or by letter, with any unofficial person on that subject. Interviews we would decline; letters we should leave unanswered. I am sure that the pledge was kept by all of us; and we had need of its protection. Protest and petition poured in upon us; I, as secretary, naturally suffering the most. Out of all this stood forth

* I had nothing to do directly with the collection of the customs, and the Collector was my only superior officer — all persons in the district connected with the Treasury being his subordinates.

† Col. MacMahon won his epaulets, not without loss of part of what he staked, himself, in our Civil War. He has proved as efficient in the civil as he was in the mlitary service of the Union.

one remarkable fact. Although as the result of our report some two hundred men in the Custom House proper were displaced,* *not one protest or petition came to us from a politician;* all were from "outsiders," highly respectable and influential (that is, wealthy) men, who had friends or kinsmen in the service, and who protested against this displacement of the representatives of so much respectability. We continued our course, guided only by the Collector's instructions and the requirements of the service as they appeared to us, aided in our inquiry by deputy-collectors and chief clerks of divisions. Then these highly respectable protesters, who were not politicians, moved heaven and earth against us, and caused us to be summoned to Washington to account for our misdeeds; which accounting was made to such purpose that that part of the embroilment was never heard of afterward.†

Such, according to my years of observation, is the attitude and the action in this respect of the "machine politician," for whom those who know anything of me will not accuse me of any special liking, at least because he is a politician and a part of the ma-

* I speak from memory only.

† It is pertinent to the subject of this article that I should say here that, during the action of this Commission on the reduction of force, the Collector (General Arthur) refrained entirely from making any suggestions as to his own wishes or those of his political friends, in regard to individuals. The changes were left entirely in the hands of the Commission, the members of which were guided only by the orders from the department and the exigencies of the public service, as revealed to them upon inquiries addressed to the heads and chief clerks of divisions. It was not until the Commission presented its carefully, I may say painfully, prepared schedule of reduction to Collector Arthur, that he had any consultation with them as to the particular results of their labors; and even then his suggestions were few, and were offered merely as suggestions. I, for one, was surprised at his reserve in this respect. But I remember one suggestion of change made by him, which I shall venture at this distance of time to make public. The Commission had placed, for good reason, upon the schedule of removal in one Division, a name as to which the Collector demurred. At first he merely requested that, if there must be a reduction in that office, some other name should be substituted. When he was told that good reason existed for the choice that had been made, he explained that a member of the family of the clerk in question had been his opponent and assailant, and that he wished therefore to treat this gentleman with exceptional leniency. This was the only case in which he pressed his personal wishes upon the Commission; and he requested that there might be nothing said that would inform his censor of his action in the matter. Nothing, I believe, has ever been said about it until now, when that may be told which happened *consule Planco.*

chine. He does his best for his client; but if his man is removed for good cause, personal or political, he submits without protest — it is the fortune of war. Whereas, your highly respectable non-politician, whose unfortunate or inefficient kinsman or near friend, once quartered on the Government, is removed and thrown upon his hands for aid or support, rends the skies with his denunciation of political corruption, and would know (in a very impressive manner) how the public service is to be kept pure and sweet if he is not to be allowed to salt it with a sprinkling of his family and friends.

Hence it seems clear that the leading politician, if not the non-politician and the pæne-politician, would be satisfied and yield gracefully if the permitted recommendation for appointment to office, were it little or much, were left in his hands as a part of the prestige of his position. The party leader in Congress who knew that his right to recommend appointees for every vacancy occurring in the contingent of his district — our Cattaraugus friend's "puppohshin" — was recognized, and would be respected in so far as to place his nominee under examination for fitness, would be content with such a recognition of his position and prestige — a recognition surely not unbecoming, so far as he is concerned. And as to the man to be appointed from his district, to whom could inquiries as to his general qualifications be addressed with more propriety than to his representative in Congress? By the adoption of the rule of tenure during efficiency and good behavior, the party leaders' scope of recommendation would indeed be diminished; but in that diminution he would find actual relief, while, at the same time, he would not be entirely deprived of a valued and distinguishing privilege, which, rightly used, is not without its proper benefits to all parties interested in it, not excepting the public. The adoption of the rule of tenure during good behavior and efficiency would, on the one hand, relieve party leaders and heads of departments of the pressure of a crowd of office-seekers, and on the other, of course, break up the business of office-seeking. The two million locusts of office, who now darken the sky of half a continent, would be compelled to seek some other way of getting their living; and the spurious and debasing political activity, which is stimulated by the hope of getting some sort of profit from party success, would be gradually ended by the gradual failure of its motive power.

One result of the adoption of the law of fixity of tenure

would be the restoration of the members of the civil service to their normal place in politics and their constitutional rights as citizens. Members of opposite parties who were in the civil service would not only vote and work, each with his own party, but contribute to it or not as they felt inclined, with none to molest or to make them afraid, just as if they were engaged in any other occupation. As to saying to the officers of the civil service that they shall not take any part in politics, and that they shall not give money in aid of any political cause or party, that is a feeble sort of tyranny that need not be discussed at this stage of political freedom. It is a gross outrage, a more intolerable restraint upon personal liberty than that proposed in the time of James I. by Oliver St. John, who, to attain an end perhaps good in itself, would have deprived the people of the right of individually offering the King money.

Thus a reform involving little change in our political habits, and the violation of none of the harmonies of our political and social condition — examination of appointees by heads of departments or their chosen representatives, responsibility of those officers for their subordinates, and fixity of tenure during efficiency and good behavior — would seem to be sure means for the attainment of this much-desired end.

RICHARD GRANT WHITE.

HYDRAULIC PRESSURE IN WALL STREET.

THE popular superstition concerning Wall street is that the great stock speculators control speculation. They are supposed to make and unmake prices at their pleasure. When they determine the market shall rise, it rises. When they determine it shall go down, it goes down; and in the hands of these financial giants the outside public is helpless. Possibly ninety-nine men out of a hundred who think of the matter at all cherish this theory of the movements of speculation. To be true, it would require that the half-dozen men recognized as great operators should hold in their hands all the elements that go to make up speculation. They should be able to give or withhold from us bountiful harvests; to blast the grain-fields of Europe when we have a large surplus to sell; to give us mild or severe winters, floods or drought; to call up the devouring swarms of grasshoppers in the West, as Moses called the plague of locusts upon Egypt; to increase or diminish the stream of immigration pouring into the country; to make commerce and manufacture flourish or wither as they may will it. These are the elements that enter into speculation. It is these which make and unmake prices. None know this better than the great operators. They know how narrow are the limits of their power over the great movements of the speculative tides recorded in the figures on the stock tape; and the millions they have rolled up have been acquired by the success with which they have timed their schemes to their ebb and flow.

It is an axiom of speculation that you cannot bull stocks and corn at the same time. What enhances the price of corn diminishes the value of stocks. Good crops make high prices; poor crops make low ones. While wheat and corn are rising in price, the prices of stocks tend downward. In the grasshopper years, when wheat was two dollars per bushel, stocks of cer-

tain railroads, now quoted at one hundred and twelve and one hundred and thirty dollars, were selling at twelve and forty-five dollars. From this cause it comes that "the crop question" is of such transcendent importance in Wall street. It begins to be discussed with the plowing of the ground. The information then sought is the acreage returns, and how they compare with those of the year before. Large immigration last year means an increase in the acreage this year by the occupancy of previously waste ground. The weather report is anxiously scanned as the plant grows. A special weather report from the Signal Office is daily distributed in Wall street. First comes the great crop of winter wheat, harvested from the middle of June into the first part of July; then the spring-sown wheat, coming in August and September, and yet later, the harvesting of the corn crop; while, in the South-west, the cotton crop is picked from summer till fall, the picking moving northward with the season. The progress of the crops in Europe has been meantime watched with scarcely less interest, for there we must market our surplus. Short crops abroad and bountiful ones at home give the farmers a ready market for their products, the railroads full employment in carrying them, the stockholders fat dividends; and fat dividends make high prices in the Stock Exchange.

"It is no time to buy stocks when iron is falling," is the saying of one of the greatest stock operators this country ever saw; and there is another one to the same effect: "You may safely buy stocks when the price of iron is rising." The iron market is the sure barometer of the industrial situation. It embraces the whole field of industry in this age. The degree of activity in real estate and the building trade may be approximated by the fluctuations in the price of nails. While the basis of our wealth is what grows out of the ground, the present state of trade is indicated by the demand for iron. If it be falling off, adverse causes are at work which will surely make themselves felt on the stock market. If the demand be growing, industry is receiving a new impetus, enterprise is awake, new railroads are planning, old ones are extending, commerce is enlarging, the people are making money, and stocks will rise with the widened demand for investment securities. To keep thoroughly informed of the agricultural and industrial condition of the country, the few great operators who do most to give direction to the currents of speculation maintain an army of correspondents. They are

keen and close students always. Nowhere is timely information of more value than in Wall street. Nowhere else may so high a price be obtained for it. Time is an all-important element in scientific stock speculation; therefore the great operator has to be always on the watch. He may see clearly that in, say, three or four months there will be a turn in the tide then flowing; but, in the meantime, the adverse current may carry his schemes to wreck. Time is everything; for there is no knowing what the day may bring forth. The operator who is working the market to sell stocks, which requires a rising one for success, has to remember that the chapter of accidents is in favor of his opponents—the bears.

As the tides of speculation ebb and flow according to the industrial conditions of the country, great schemes of stock speculation are always adjusted to them as nearly as the operator who is carrying them through can do it. This applies equally to the man who is a stock operator pure and simple, and to the other who is not only a stock operator but a creator of stocks also—a security manufacturer, as he might be called. He is not different from the merchant or manufacturer, who gets goods at the lowest price possible and sells them at the best he can obtain. Both the stock operator and the merchant may miscalculate the public demand or the public liking, or they may get belated, and find that they have laid up a stock of goods which cannot be sold profitably. As the stock operator sells for a fall as well as buys for a rise, he is exposed to error there. Looking over the general situation, he may judge that the market must decline. He goes heavily "short" of it, and discovers that he has miscalculated the strength of the forces at work upon it, and prices rise in spite of his most strenuous efforts to depress them. He must then reconsider the situation, and determine what he shall do in view of his own resources and the strength of the forces against him. Great operators vividly realize the unpleasantness of being either "long" or "short" of the market when the public temper is against them. None ever gets where he has to struggle against the current unless by accident or miscalculation. With vast and comprehensive schemes to carry through, extending over long periods in their operation, and involving millions of money, there is nothing to do but to struggle against the adverse tide as best he may. Whatever his schemes may be, he knows that the

most he can do is but to retard or accelerate the general movement. To the constant efforts of operators to do this, as their various interests dictate, is mainly due those minor fluctuations of prices in the Stock Exchange which are like the waves on the surface of the ocean currents, and make or mar the fortunes of the swarms of small-fry speculators.

Of the mass of persons—not professionals—who speculate in Wall street, about ninety per cent. buy stocks for a rise, and only the other ten per cent. both buy and sell—in technical language, go long and short. The public at large knows nothing of selling for a fall. It is, therefore, always on the bull side of the market when in the market at all; and, as a consequence, this is the popular side. The prophet who proclaims his belief that prices are too high and must fall finds he is prophesying unwelcome things. When prices are falling, the public begins to desert Wall street, which has no more interest for people who only speculate the other way. They buy when prices are rising, and buy most freely at the top—when the great operators, who have bought their stocks months before at low prices, sell out. By accumulating large lines of stock, and by their brokers using the arts of the auction-room in making quotations, prices are carried up; but if the public refuse to come in and assist by their purchases the movement is a failure, which means more or less heavy losses to the men engaged in it. They discover that they have been lifting prices by buying stocks which no one will take off their hands. Wall street was lately treated to a most conspicuous example of this. The greatest wealth and most acute talent of the country were enlisted in an effort to raise prices. They were raised by sheer force of money, the brokers of the chief operators offering to buy and buying all that was offered of certain leading stocks, each day at a higher price than on the day preceding. But it was a frightfully costly experiment to the men who did it. They had miscalculated the temper of the public. People would not buy, however much prices were advanced. The load became too heavy for the shoulders even of the financial giants. They suddenly stopped buying, and the whole artificial structure of prices which had been raised on their purchases fell with a ruinous crash. The temper of the public had been growing colder and more distrustful since July, and that now famous "pegging" movement was ineffectual to change it. This was a case where some of the greatest stock

operators of the age were completely mistaken in their reading of the speculative situation and the state of the public mind.

The course of prices on the Stock Exchange was downward from the fall of 1873 to 1877, owing to the great panic and a succession of poor crops. From 1878 to July of last year they moved upward, under the influence of three years of bountiful harvests here and poor ones abroad, each crop being larger than the preceding one and giving a correspondingly increasing force to the influences making for speculation. In the end came a wild inflation of prices. Good securities were carried up to figures far above their real value; worthless stocks found buyers by the score; floods of new securities came upon the market and were eagerly snapped up; everybody had money to buy; seats in the Stock Exchange rose to thirty-two thousand dollars bid; and Wall street seemed intoxicated with prosperity. Nothing was listened to but the phenomenal growth of the country. To assert that prices were extravagantly high was stigmatized as want of patriotism. "Have you no confidence in your country?" was the customary reply. "The people are mad!" exclaimed one great operator, amazed at the extravagant prices at which buyers were eagerly contesting with each other for stocks. In the midst of this wild rage for sudden wealth, the nation was shocked to its center by the assassination of the President. Sad as was the event, it injured no material interest of the country; but it effected a complete change in the temper of the people. A vague feeling of distrust and insecurity began to spread. Wall street, as usual, was the first to feel the change. Whether it be from confidence to distrust, or from depression to hope, a change in the public temper is felt earliest there, for into speculation there enters a large element distinctly sentimental.

Facts which no one would believe or listen to before were now heard in silent acquiescence. People saw, as if it were a revelation, that the length and severity of the previous winter had inflicted enormous damage on the railroads; that the spring floods which accompanied the melting of the vast areas of snow had been even more destructive; that a drought was then scorching up great sections of country which had previously escaped damage. In addition, the great trunk lines of railroad were engaged in a ruinous war of freight rates. Speculation began to lose strength. The first blow fell upon the bond market. While stocks still continued active, new issues of bonds could find no

purchasers. The crop of new railroad schemes growing up like mushrooms had a sudden check, for no one would subscribe for the bonds to build them. Railroad companies which were doing a thriving business on extensions discovered that the bonds to pay for them remained unsold in the hands of their bankers; and the managers of some new enterprises, who were not ready then to put their bonds on the market, have not dared to put them there yet. The bond market, in fact, completely "played out," which brought in its train the downfall of numerous flourishing railroad concerns, which had been paying dividends and making a fictitious show of prosperity on the sales of continuous issues of these securities.

From that time to this prices of stocks have been on the downward course, and the speculative and investing public have so completely withdrawn from the market that, for months past, the large commission houses, which depend upon this class of custom, have scarcely paid running expenses. Nevertheless, the decline has been stubbornly resisted, and because of this resistance, and the many efforts made to arrest it, the shrinkage of prices has been spread over a much longer time than would otherwise have been the case. The assassination of President Garfield came at a time when the greatest stock operator of this or, perhaps, any other day, was loaded up with an enormous line of certain stocks. Three or four months more of such a market as Guiteau's bullet shattered would have enabled him to sell out his holdings. The street and the public would have had every share he chose to sell. From various causes he had been unable to market his holdings at the time he had calculated upon doing so, and the assassination changed the whole complexion of things. He was left to struggle with the adverse currents of a falling market, and the history of Wall-street speculation since that event has been, speaking broadly, the history of the efforts of a great operator of vast means, indefatigable energy, infinite resource, and unequaled talent in his line to profitably market a great load of stock, which the public has shown increasing disin clination to take off his hands. Twice in this period he has been driven close to the wall. On one occasion he was saved only because the men who were pressing him became frightened at the near prospect of his downfall, which they saw must precipitate a panic in which all would suffer. They drew back, and the respite was sufficient for a man of his genius to extricate

himself. For a time he seemed to have turned the tables on his opponents, and some of them he did punish badly; but it was hopeless. Neither immense wealth nor the highest talent could create a bull market when the public, demoralized and disheartened by losses, refused to support it; and another and worse tumble of prices followed the well-known "pegging" campaign.

If a rational consideration of the tides of speculation shows how much they are due to the public at large, and how much less to the efforts of the half-dozen men recognized as the great operators, the assertion will scarcely be challenged that the indiscriminate denunciation of the ups and downs of prices as being the effect of "Wall-street tricks" is both unreasonable and untrue. When times are prosperous people flock to the stock market, bent on buying everything offered; they do buy; they buy with their eyes persistently shut to every evidence of the badness of the bargain they are making; and this goes on until something comes which compels them to see what they had refused to see before. Then begins the general selling under which the market steadily declines; and when the fall has been long and severe, which it is sure to be if the previous inflation of prices has been correspondingly excessive, then comes the moralizing and preaching about "Wall-street tricks" and the wicked ways of the speculators.

This being said, it remains to point out certain trickery practice in the buying and selling of securities of which the public has a just right to complain. Its correct title is corporate fraud. Beside this, the little tricks peculiar to the Stock Exchange, which generally take the form of catching those who have "sold short," are not worth serious consideration, for they affect only a limited number, and mainly the regular professionals. But the frauds of directors of corporations are aimed at the investing public, and bring heavy loss and injury to hundreds and thousands. Their effects are most manifest on the Stock Exchange simply because that is the common market for securities, and hence these scandalous deceptions and flagrant breaches of trust are indiscriminately denounced as "Wall-street tricks." They are frauds planned and executed in the companies' offices, and would be done if Wall street did not exist and securities were marketed the same as potatoes. These frauds are simply the giving of fictitious values to securities by misrepresentation of facts and suppression of truth, and the destruction of good

properties for the profit of those who have obtained control of them.

Stock-watering has an evil sound in the public ear, and justly so by reason of its associations. But stock-watering *per se* is not a fraud. It is nothing more, when legitimately done, than realizing the enhanced value of a property. It is just as proper a proceeding as that of a merchant who marks up the price of the stock of goods he has on hand. Nevertheless, it has an evil odor clinging to it, for the operation presents such temptations to fraud on the part of those in control of the property, that it is rare for the thing to be done without fraud at some stage. Sometimes it is a series of frauds from first to last, enriching the few men who planned and executed it, inflicting severe losses on hundreds of innocent investors, while the property itself is irretrievably injured. All this will be called a Wall-street trick, or stock-jobbery; but in fact it is simply corporate dishonesty.

Let us take one glaring example. Suppose that there exists a large corporation, having a heavy capital, and performing highly important functions in relation to the public. Its board of directors is composed of the leading men of the financial world, and a large proportion of the stock of the corporation is held as a permanent investment. Another company is started as a rival to the former. It can pay no dividends, and is not likely to, for its promoters repaid themselves double their original outlay through the medium of a construction company, and they propose to make more by selling out. But this concern can and does injure the dividend-paying company, though not much. In course of time the leading spirits in each corporation come together secretly, and arrange what, in a term borrowed from the gambling-table, is called a "deal." The dividend-paying company is to absorb the other, and to double its own stock. An elaborate programme is laid out, extending over many months. As the first step in it, holders of the dividend-paying stock must be induced to sell out—"shaken out" the street calls it. The corporate dishonesty begins at this point. The board of directors meet, and in their official capacity they issue a quarterly statement of the company's affairs, which is a carefully concocted falsehood from beginning to end. In it they represent that business has fallen off to the most serious extent; that the revenues have so greatly shrunk that it would be highly impolitic to declare the usual quarterly dividend; that a reduced dividend

must be declared, which, it is true, will require most of the surplus in the company's treasury to pay, but by careful economy they hope it may be fully earned in the future. The issuance of this official falsehood has been prepared for by the industrious propagation of rumors that the affairs of the company are in a truly deplorable condition. The board votes the reduced dividend; the men who are in the secret have previously sold their stock, and they set to work to break down the market by short sales. The price begins to sink rapidly; innocent investors are frightened at what they see and hear; they make haste to sell, and the price goes on sinking with every lot offered. At last it reaches a level where the conspirators decide it is time to buy. They have covered their short contracts, and make their profit that way; and under their buying the price rises as rapidly as it went down, which catches the swarm of Wall-street stock operators who had been selling the stock short, and were not in the secret. When the men who are conducting the deal get all the stock they want, official announcement is made that the rival companies have agreed to combine, and the stock of the consolidated concern will be doubled. This being done, the conspirators desire to sell their enormous holdings of the watered stock. They therefore meet again in their official capacity as directors, and issue another official quarterly statement, in which everything said in the last is unsaid. The revenues are declared to have increased in a most unexpected way, great economies have been effected, and the profits of the quarter are large enough to allow a dividend to be declared at the full rate on the whole doubled capital stock, while the outlook for the future is such as to give assurance that it will be continued and possibly increased. This official statement is just as much a falsehood as the last was.

Here was one of the most scandalous examples of stock-jobbing which ever disgraced the financial history of the country; but stock-jobbing in this case was only another name for corporate rascality. It was fraud against which the investor had no possible chance to protect himself, for it was by the official action of the legal custodians of his property that he was frightened into throwing it over. When too late, he discovered he had been the victim of a plot which these directors had concocted against him for their own enrichment. The only feature of the operation which could properly be called a Wall-street trick was the incidental catching of the "shorts" in the stock, when the rapid rise in its

price took place under the buying of the schemers. The short sellers were badly bitten, but, being all professionals, they took the well-known risks of selling that way when they did it.

Stock-watering, however, is not the form of corporate fraud which in these days most threatens the investor. Indeed, taken altogether, more investors have been enriched by stock-watering than have been injured by the fraudulent practices which have so often accompanied the operation. The case cited above was quite exceptional in its rascality. The greatest danger to the investor of to-day comes from bonds and leases. Where corporate dishonesty takes the form of bond issues and fraudulent leases, the investor is fleeced without mercy. There is nothing but loss for him The profit goes entire into the pockets of the directors, and the property is injured to the extent of the profit they make. There are stocks on the Exchange which are freely bought now at prices not a great deal below what they were selling for a year ago in the flush times; there are others for which it is difficult to find purchasers at one-half or one-third the prices they were selling at then. Corporate fraud is solely responsible for these ruinous drops. A fictitious value was given to the securities by the payment of unearned dividends. The money was obtained from the sale of bonds. This continued until the bond market went to pieces, the public refusing to buy more. Thereupon the treasuries of these corporations were soon emptied, one after the other stopped paying dividends, the discovery was made that their bonded and floating debts had been enormously increased, and by the time the facts were all out their stocks had sunk like lead. In one of these cases the price fell a clean twelve per cent. in one day; and this came after it had already had a considerable fall; neither did it touch bottom then. The general public, seeing only the sudden and violent collapse, and ignorant of its cause, denounces it as a stock-jobbing trick. The trick consists in the knowledge that certain men obtain of the rotten condition of the corporation. They turn it to account by selling the stock short, and exposing this rottenness. Holders rush in to sell their investments, and the price sinks until it reaches a level corresponding to the real value of the property. In the special instance referred to, it came out, when the facts could no longer be concealed, that the managers had been personally buying up worthless roads, more or less remotely connected with the main

line, and selling them to the company of which they were the directors at high prices. Payment had been made in new issues of bonds, and when these could no longer be sold, money was borrowed upon them to pay dividends and keep up a delusive appearance of prosperity. This went on until a debt had been piled up of many millions; the men on the inside sold out their stock, and one of them organized the movement which broke down its price in the market, and exposed the real condition of the corporation. Here, as in the other case, stock-jobbing was another name for corporate fraud.

In another case, the same system of rascality was pursued. Quarterly dividends were paid for a year, not one of which was earned; nor, indeed, was the road earning the interest on its bonds. The managers of the property declared that it never was so prosperous; they published what purported to be correct returns of the earnings of the road compared with the previous year, showing an immense increase; and meantime they were selling their stock here and in Europe at high prices, talking grandly about "sustaining American credit," and violently denouncing the few who had sufficient penetration to see the deception practiced, and to declare it. At the end of the year the stock had fallen about one-half from its highest price, the fall being accompanied by just such "raids" as broke down the price of the other stock mentioned. The managers had sold their holdings long before, and they knew too well what the real value of the stock was to attempt to protect it against the attacks of other operators who knew as much as they. Indeed, they made their profit by going short themselves.

These two cases are fair types of the most common forms of fraud now practiced. They are in great favor, because difficult of detection until it is too late for the average investor to protect himself. So long as the buying mood is on the public, a perpetual stream of new bonds can be poured out, and find a ready sale. It is one of the great modern discoveries in the world of speculation that "the public likes bonds." We owe this discovery to the genius of the leading stock operator of this century. He made it early in his career. The public likes bonds, and will buy anything called by that name when stock can find no purchasers. The discovery is now common property, and has given direction to corporate fraud for ten or twelve years past. Stock-watering pure and simple is less in favor than it used to be,

and perhaps in the instance before mentioned it would not have been employed had not the peculiar circumstances of the case made an issue of bonds inexpedient. There is always a great outcry raised about stock-watering; some States have enacted statutes against it, and it is much easier, and much more politic, to issue bonds. Bonds, therefore, are in this day the favorite vehicle of corporate fraud. As long as a company can find a ready sale for its issues it can go along swimmingly, paying dividends it does not earn, and showing a surplus in its treasury.

Companies make large profits by building extensions and purchasing branch roads. It may cost only fifteen thousand dollars per mile to build the road, or to purchase it; but bonds are issued at the rate of twenty thousand or twenty-five thousand dollars per mile, and perhaps sell at a premium. The difference goes into the company's treasury or into the pockets of individuals. Hence, also, the large profits made by construction companies. They build the road and issue stock and bonds for double its cost. If the times are favorable, the issue will be greater; and, in one instance, a construction company which built and acquired a road costing in the aggregate only seventeen millions, issued securities of mortgage bonds, income bonds, and stock aggregating, in nominal value, eighty-two millions. By the sale of these they more than doubled every dollar of their original expenditure. This, it must be confessed, was a prize of unusual magnitude, and was made possible by the managers being lucky enough to bring their stuff on the market when the public rage for buying was at its height last year. A new company starting, the managers of which desire to deal generously with the public, or feel uncertain about getting money, will issue bonds to cover the cost of constructing the road, and give the issue of stock as a bonus to the subscribers. This is fair dealing. People who risk their money in a new enterprise have a right to the profits of the future, if there be any. But one of the most extraordinary things ever done in Wall street was the call made by one large corporation for subscriptions to a new issue of ten millions of stock, the proceeds to be used for building an important line of road to run in connection with the main line, and to make other improvements. Six months or so after it had obtained the money, the company issued a prospectus for the organization of a separate company, with more millions of capital, to build this very line.

The original ten millions had gone, it is to be presumed, in the other improvements. This was another scheme whose success was possible only in the rushing and thoughtless times of last year; and, indeed, the company, coming into the market rather late with its new scheme, experienced such difficulty in getting subscribers that it had to pledge its own credit to the new enterprise, which was not in the original programme.

Besides looking sharply after the bonded indebtedness of a company, the investor who desires to know what he is buying should examine what lease and rental obligations a company is under. Leases, as a means of corporate fraud, grow out of the same willingness of the public to buy bonds. The directors of a corporation will buy up, at a nominal price, the stock of a connecting road which, perhaps, barely earns its fixed charges. They then lease it to their own road, upon terms which will carry the stock they have purchased up to par or over. Sometimes this is done by guaranteeing dividends upon the stock; sometimes the stock of the leased road is converted into stock of the parent road; sometimes it is converted into its bonds. In either case, the parent road is burdened with an additional charge, and the directors pocket the profits. But there is a further use for leases. Suppose that the lease is made on terms guaranteeing dividends, or merely guaranteeing interest on the bonds. In these cases, it affords the managers a convenient cover in the future for raising money by new stock or bond issues under the name of another company. It might appear that this trick would be too shallow to deceive anybody. But it is not; and the fact that it is constantly practiced shows that it serves its purpose. There are certain companies whose reports, when they make them, show a bonded debt of the lightest proportions, and this showing is often greatly lauded as proving their stability. The explanation is that they own half a dozen roads by perpetual leases, and the debt is piled up in their names. Examining the figures, therefore, we find that, while the debt of the parent road appears at some comparatively trifling figure, the item of interest and rentals charge is enormous.

Leases, in truth, are a highly dangerous temptation to fraud on the part of directors. In States where the laws are stringent on the subject, they present opportunities for private profit at the expense of the trusteed property too frequently availed of; and, in the State of New York, the monstrous doctrine has been

affirmed by the courts, at least by implication, that the directors of a corporation have the right to make and unmake permanent leases of the property they temporarily control, without the consent, or against the protest, of the owners of the property, *i. e.*, the stockholders. This is offering a premium on fraud; and to say that the courts will declare invalid a lease where fraud can be proved, is giving a stone when bread is asked. Evidence of fraud, as the law requires it in such cases as this, is extraordinarily difficult to obtain; and if the scheme has been decently well planned and executed, it is well-nigh impossible. In the latest case where this unlimited right of directors was affirmed by the courts, a great public scandal was involved, in which judges, State officers, and directors were implicated; but it was impossible for the contesting stockholders to get hold of legal evidence of fraud. The fault was primarily with the law. Directors have altogether too much power over the property of which they are temporary trustees. They should be compelled to go to the stockholders for special authorization to do many things which they can now do of their own motion.

Law, however, is a poor remedy for corporate abuses. It may correct some, but there are many more just as bad which it cannot, and which only a healthier public opinion can. So long as flagrant abuses of public trusts are dismissed with a half-jocular, half-contemptuous remark about stock gambling, and the men guilty of them are not a wit the worse socially for their misdeeds, they will continue to make money, or try to, by what is nothing but robbery of the investing public. To extract a few thousands from the pockets of other stock operators only a little less sharp than themselves, by some maneuver which is truly a Wall-street trick,—that is, a trick made possible by the rules governing dealings in the Stock Exchange,—is a trifle not worthy of consideration. It is not in such ways that the millions are made. "Corners," for example, which are the extreme form of these tricks, have nearly always proved disastrous in their result to the men who have successfully carried them through. The great "North-west corner" entailed heavy losses on its contriver; the "corner" executed last year left the whole common stock of the company, nine millions in amount, a dead burden on the hands of the men who planned it. They cannot market it, unless some neighboring railroad company takes it off their hands in bulk to secure control of the road. The millions

are made by taking them from the pockets of the general public. It is the public on one side and the great operator on the other. The public is an ass. That is, it is an ass sometimes. When it is in the humor to be fooled, the men are there to fool it to the top of its bent. It wants to buy, and it will swallow anything they offer, and believe any story about the value of the article it is buying, however preposterous. Woe to the man who rises then to warn the people of their madness! They will tear up the stones in the street to cast at him. The only consolation he has is the reflection that in a little while they will be cursing the men who deluded them into buying securities at twice their value, or securities rotten and valueless altogether.

THE RUINS OF CENTRAL AMERICA.

PART XI.

I ARRIVED at Frontera February 17th, on my way to the goal of this expedition—the phantom city spoken of by John L. Stephens. At Frontera I found a curious collection of antiques. The idols and figures which compose this collection all more or less resemble those found on the table lands, with certain differences which show them to be more nearly allied to those of Palenque. The pottery is coarse, and the figures ill-shapen, odd, and monstrous. The owner of the collection says that he once had in his possession an idol of pottery, some three or four feet in height, in the interior of which was a human skeleton. This interesting relic was given to a French physician, and has disappeared.

On the 26th of February I embarked on a little steamer for Tenorique. The following day we reached Montecristo, but the steamer could not carry us any farther, owing to the low stage of water. I hired a canoe and three men to take my baggage to Tenorique, while myself and my secretary, Lucien, decided to go on horseback. We set out on the 1st of March, passing through a fine country, over a tolerable road, till we had forded the Chacamax, an affluent of the Usumacinta, and which, in its course, passes near Palenque. Here we entered the unbroken forest, and soon began to experience the hardships of travel in this wild region. As we advanced in Indian file, trying to keep to the narrow trail, we had to force our way through the branches of the trees on either side, which seemed to bar all passage, and not infrequently we found ourselves entangled in the numerous vines. After eight or nine hours of uninterrupted travel we again reached the bank of the Usumacinta, and were so fortunate as to find a poor ranch, where we obtained a few eggs and some maize gruel. The first night we

passed at Cabecera, a wretched village some three leagues distant from Tenorique, which place we reached the following day.

Tenorique is the last village on the plain, and the foot-hills of the Cordilleras begin five or six miles away, and back of them is the mountainous country, the home of the Lacandones. At Tenorique live the wood-cutters, who explore the most remote regions in the mountains in search of mahogany. The place is head-quarters for traders, who contract to deliver the precious timber by the thousand tons. Here I purchased a stock of goods, such as textile stuffs, machetes, knives, salt, etc., for the purpose of barter with the Lacandones.

Tenorique is situate about two leagues from the "boca del rio" (river's mouth), where the Usumacinta issues from its upper basin, forcing its way through the mountains. The river has opened for itself a similar passage considerably higher up its course, at the distance of some leagues from the Paso de Jachilan, the objective point of our next laborious march. We expected to be on the road on March 6th, but were delayed several days owing to the difficulty of procuring the necessary force of men and mules. As for the men, they show great unwillingness to join the expedition, and though I succeeded in getting mules from Peten, the animals were in such wretched condition that they absolutely required a week's rest. The delay was very annoying. One might almost traverse Africa in less time than it takes to travel one hundred and fifty leagues in this miserable country.

I saw here a specimen of the *marimba*—the Indian piano—an instrument consisting of bars of sonorous wood, which used to delight the ancient Toltecs with its music. It has four octaves, and above each bar is a hollow wooden cone to increase its sonorousness. It is played by two persons, one playing the accompaniment, and both of them strike the note with sticks bearing on the end a ball of gutta percha. They pass from note to note with a rapidity that could not be equaled by the most expert pianist. The tone is full, true, and sweet. The native airs are all very pleasing and strikingly original. A similar instrument is found in use among the natives of Natal, in South Africa, and its name, too, is the same—*marimba*.

We began at last to move on the 9th of March. On that day I sent forward four men to make the canoe for our use, farther up the river, at the Paso de Jachilan. While waiting for the

mules to be ready for the march, I had my baggage and provisions packed. I took a good store of jerked beef, though every one said there would be no lack of fresh meat on the way, the forests teeming with peccaries, hare, wild turkeys, and other game. The story of our march it is perhaps best to give in the words of my journal.

March 15th.—We are on the road with lame and halting mules, that will in all probability give out before we reach our destination; but we must take things as we find them. On the first day we travel a distance of ten leagues from Tenorique, over a detestable road that the people of the village represented as "superb." Perhaps it is—relatively. We find it to be a succession of mud-holes, in which our mules flounder up to the girths in mire. It is the road to Peten Itza, along which Cortez must have marched, and probably in the time of native rule the roads in this region were roads indeed: at present, this highway is simply a narrow trail through the woods, the branches of the trees on both sides continually threatening to sweep you off your saddle. Another never-failing source of discomfort is the plague of insects. And we have still fifty leagues of this sort of travel before us. But we find some compensation in contemplating the beauties of nature in this great wilderness. We cannot but admire the magnificent trees, one hundred and fifty to two hundred feet in height, chief among them the mahoganies and the cedars. Toward nightfall we halted in a great clearing, and there encamped.

March 16th.—To-day we skirted the eastern side of the mountain chain which forms the eastern boundary of the great upper Usumacinta Valley. The road is still bad, and as soon as we begin to ascend the first foot-hills of the sierra we find again the calcareous formation of Yucatan, but upheaved, broken, in places transformed by volcanic action.

On the way, three of the mules went astray and were recovered after a search of three hours. These animals have all to be watched closely, for each has its own special instincts, and these you must study if you would control the beast. They have special names, too: one is "La Golondrina" (swallow); another, "El Indio" (Indian); a third, "the Empress," and so on. "El Indio" is a specimen. His peculiar trick is to hide in the woods whenever the attention of the muleteers happens to be drawn away for a moment. When the train has moved on, Indio rids

himself of his packs and roams through the woods. He has done this twice, and now I force him to lead the convoy.

March 17th.—We were all this day without water. I shot three monkeys.

March 18th.—Reached the *arroyo* or pass of Jachilan, and there we abandoned my secretary's horse, which had given out. Leaving the Peten "road" on the left, we now took a course south-south-west through the woods, having been first compelled to abandon two mule-loads of baggage. We are now all afoot, and have a hard day's march over a rugged, hilly country.

March 19th.—No event worthy of record.

March 20th.—A long and tedious march. We crossed the Chotal River twice. Fell in with a *montero* (prospector for mahogany trees), Don José Mora, who for three months, accompanied by two servants, has been in the woods searching for and marking mahogany trees. We came at last to the upper Usumacinta, which, a little higher up, takes the name of Rio de la Passion. Here we stand on the Guatemala border. The river is about one hundred yards wide, but the water is low and at most occupies only half of the bed. According to the best information I have been able to obtain concerning the site of the city of the Lacandones, it would appear to be about four leagues upstream from the spot where we are encamped.

But where are the men I sent in advance hither from Tenorique to make a canoe? I signaled to them by firing a musket, and toward evening we saw two of the men ascending the river in a small species of canoe termed *cayuca*. I asked them if the canoe was ready. They had felled a tree, they said, but the trunk was rotten; then they had felled another, and were now engaged in hollowing it out. I forthwith went with the men to the place, half a mile or so distant, where the canoe was being constructed. The work would take eight days more, at least, so I decided to do without the canoe. The little skiff the men had found would have to serve instead. I feared lest I should be anticipated in visiting the ruins, for I had heard of an expedition designed to penetrate thither from the Guatemala side.

One of my men, who speaks the Maya language, tells me that there are Lacandones living hereabout, and that they might lend us their skiffs. I send this man to find these Lacandones.

Toward one o'clock I descried a canoe with three men coming down the river. Where did it come from? Where was it

going? I hailed the men, and they put in shore. In reply to my questions, they informed me that they belonged to an expedition led by one Don Alfredo; that their master was at the ruins; that, as the party was without provisions, they had been sent out to find some Lacandones from whom they might obtain victuals; that so far they had procured only a few tomatoes; and that the party of sixteen men awaiting their return were in danger of death by starving.

Who is this Don Alfredo? The name says nothing to me, but it tells me that another has preceded me by two days. I immediately abandoned the idea of employing the *cayucas* of the Lacandones, and determined to make use of the canoe which brought these men. "Here are provisions," said I; "take them for your comrades. Let three of my men go with you, and present my card to your master, with the request that he send some one here for me to-morrow." Shortly after the departure of the men, the messengers I had sent to find some of the natives returned, having in their company an old man bearing a palm-leaf sun-shade. Other Lacandones of the neighborhood had fled in alarm on the arrival of the white men, betaking themselves into the woods. The party having disembarked, I found the new-comer to be an old fellow of very gentle mien. He smiled as he grasped my hand, and looked about him timidly. His raiment consisted of a loose shirt of coarse cotton stuff, woven by the Lacandone women. Around his head he wore a piece of the same material, probably to hide his baldness; and about his neck was a necklace consisting of twenty strings of glass beads, dogs' teeth, and a few pieces of coin. In his right hand he carried a bow and arrows. In this man, miserable and degraded as he was, I saw the type of the Itzaës of Chichen in Yucatan. The profile is the same I noticed in the sculptures at Chichen.

I obtained his bow and arrows in exchange for a knife, some salt, and a few fish-hooks; but he would not part with his shirt or his necklace. He had only one shirt, he said, and what should he do were he to give it away? I offered him one of mine, but he laughed, saying that mine was too thin. I promised that, if he would bring his women and his companions, I would make them presents of swords, hatchets, salt, and stuffs. He said he would bring them.

These Lacandones, called by the people of Tabasco "Caribs," have preserved the custom of polygamy. They employ bows

and arrows, the points of the latter being made of hard stone, or of bits of glass, when glass can be had. They are few in number, and live each family separate, or in small groups of two or three families. They live in the woods, on the banks of the rivers. They cultivate maize, beans, yucca, sweet potatoes, the banana, and different species of fruits. They are fishers and hunters, and are very skillful in the use of bow and arrow. Their household utensils are gourds of all sizes, and a few vessels of very coarse pottery.

March 22d.—The place where we are encamped is very insalubrious: three of my men are down with fever; I myself, though I have always thought myself invulnerable, am now a victim. This morning I was seized with a violent fever, accompanied by delirium, and this on the day when I was to visit Lorillard City. My pulse rose to one hundred and fifty. I was in a pitiable state when the canoes arrived, yet either I must make the journey or miss the object of the expedition. As I entered the canoe, the Indians said I should never return, for I was in a state of extreme debility. Still I reached my destination after three hours of boating.

But who was the mysterious man that had preceded me? Immediately on landing I sought him, and our meeting was odd enough, here amidst the great forests, among picturesque ruins, and at a distance of more than three thousand leagues from home. The noble, fair-complexioned young man that comes forward to meet me is an Englishman, as I discern at the first glance—plainly a man of the world, and a gentleman. We shake hands; my visiting-card, which reached him the day before, gave him my name, which he recognized. His own name he gave me —"Alfred Maudsley, St. James' Club, Piccadilly, London"; and as I stood for a moment wondering, with perhaps a rather downcast air, he divined my thoughts. "Give yourself no concern about me," he said; "an accident has led to my coming here before you, as an accident might have led to you coming before me. I am not a rival, and there is nothing for you to apprehend from my being here. I am merely an amateur, traveling for pleasure; you are a savant, and the city belongs to you. Name it, explore it, photograph it, take moldings: you are at home here, and with your permission I will be your guide, and we will work in company, I have no intention of writing or publishing anything. If you choose, don't mention me at all, and keep your conquest for yourself alone."

I was profoundly touched by the delicacy of feeling manifested, but I could not accept the offers of my high-minded fellow-traveler, and therefore we will, like friends, share the glory of having discovered this great and curious city. We lived together, we worked together, we quit the place together. I taught him how to make casts. I gave to him my material for making casts, so that he might make moldings of the sculptures at Tical, which place he was to visit.

March 23d.—This city, "Lorillard City," as I have called it, consists of a multitude of edifices—palaces, houses, and temples of greater or less size—resembling those of Palenque, and, like those of Palenque, erected on the tops of natural elevations, which the builders turned to account, dividing them into successive esplanades, accessible by means of flights of steps. We find here the same hieroglyph characters in the inscriptions, and the same personages, with the same facial types, in the bass-reliefs. In short, the material I am collecting in this new city is of the highest value, as proving its connection, its kinship, with other cities which I have recognized as Toltec.

The new city is more rudely constructed than Palenque or Comalcalco, but it must be stated that all the decoration has fallen away. As for the characters of the hieroglyphs, they are as well formed as those of Palenque; the bass-reliefs are even finer. We have taken casts of some superb bass-reliefs, and when they are put on exhibition in Washington and Paris they will excite no little astonishment.

As at Palenque, the buildings show great irregularity of construction. In the house we occupy, for instance, there are four door-ways separated by pillars of different dimensions, and three of these pillars have each a niche in the middle. The principal hall, to which entrance is had by the four door-ways, and which fronts toward the east, is a long corridor with several small chambers or recesses, in which are sleeping-places constructed of stone and cement. About the middle of the corridor is a large table, also of stone and cement, which must have served as an eating-table; we use it for that purpose.

The interior decoration has disappeared, the plaster has fallen, and the form of the vaults, which in every case are triangular, presents some differences with those we have elsewhere seen. At Comalcalco they affect the concave form, as also at Kabah; at Palenque they present plane surfaces; here I find all

three forms—convex, plane, and concave. Furthermore, the two walls in the palace which we occupy come together without any keystone. Each palace has a massive wall rising above the roof; this wall has oblong openings like windows.

March 24th.—The great temple is still standing. It is built on the summit of a pyramid one hundred and twenty-five feet in height, and faces toward the river. The curious decorative wall which rises some ten or twelve feet above the roof has a number of window-like openings, all of equal dimensions; it reminds me of certain edifices in Yucatan described by Stephens. In the middle of this wall there once stood an enormous statue; the base of this statue is still in position, and on the ground below is to be seen a large piece of stone which formed the left leg. The roof of the edifice is slightly oblique, as in the buildings at Palenque. There is a grand frieze, richly decorated, the ornamentation consisting of large human figures, three of them accompanied by arabesques or hieroglyphs.

The temple had three fine portals, with lintels and jambs of sculptured stone. Here we find bass-reliefs of remarkable beauty, and I have made a cast of one of them, which exhibits two human figures of the Palenque type, each holding in the hand a regular Latin cross with flowered arms.

The interior of the temple consists of a long, narrow corridor, with openings in the rear wall into four oratories or little chapels. There is a similar chapel at the right-hand end of the corridor, and at the left-hand end is a little dwelling-room, probably intended for the use of the servitor of the temple. In the little chapel in the middle is a platform some two feet high, on which once stood a large idol, finely sculptured. The idol is now broken, its trunk lies on the floor beside the platform, while the head is near the entrance. In this temple, as well as in all the other buildings, the floors are strewn with odd-shaped incense-cups, ornamented with some monstrous figure. Down to a few years ago, the Lacandones were wont to resort hither at stated seasons to practice certain religious rites and to burn perfumes in honor of the ancient local deities. These cups, therefore, are modern. The walls and roofs of the chapels are blackened by the smoke of the incense, and the cups are in many instances still full. Since the fall of the great idol the natives have ceased to frequent the city.

To the left of the temple is a palace with sleeping-places of cement, doubtless intended for those who served the temple.

This palace, which is of the same architecture as the others, but which is for the greater part a ruin, had a frontage of some fifty feet. The great Teocalli — or perhaps the Fortress — stands in the rear of the temple. It is a pyramid two hundred feet high, and on the great esplanade at its summit stood six palaces, of which only one remains, and that in ruins. Here I found some magnificent sculptured lintels, but so badly damaged by time that no cast could be taken. Here, as at Palenque, red zapote wood was employed for the lintels of the wider door-ways.

The question arises, Is this the "phantom city" of Stephens? I do not think it is, though its situation answers closely enough to the account given by him. I incline rather to the opinion that the city spoken of by Stephens is the one discovered on the other side of the sierra, on the Rio San Pedro de la Savanna, in the state of Chiapas. This is a very recent discovery, and the ruins are declared to be exceedingly interesting. I should very much like to visit the place, but I am too much fatigued, and my men are quite exhausted. Besides, the question for the determination of which I undertook this expedition is settled. A city more or less cannot affect the results obtained. I will therefore turn my face toward the City of Mexico, there to make the great castings which will complete the Lorillard Museum.

The rainy season is at hand, and work must cease. To-morrow I will make the last of my *papier-maché* casts, my photographs, and my plans, and on Sunday, 26th March, we will embark on our return journey.

March 25th.—I have here again verified the observation made last year at Palenque, on the age of trees as indicated by the concentric growth-rings. I would add that these virgin forests have no very old trees. The great humidity causes them to decay, insects prey upon them, vines and orchids live on their substance; and I am assured by old woodsmen that mahoganies and cedars—trees that resist destruction best—hardly ever live more than two hundred years. Daily, as we journeyed through the forest, though the atmosphere might be perfectly still, we heard the trees falling. During a storm they are thrown down by hundreds, and one is in danger of his life in passing through the forests. Hence, no argument for the age of these cities can be based on the age of the trees.

I am ever returning to this point, heaping evidence on evidence, in order to produce conviction. I therefore would call

the reader's attention to the fact that the monuments of Tical, near Peten—monuments whose age we know, because they cannot date from a period anterior to 1430 or 1440; monuments that were destroyed or abandoned in 1696—are in the same condition as those of Palenque, of Lorillard City, etc.; and the forest that surrounds them and is preying upon them has the same appearance of great age.

I have paid a last visit to the neighborhood of the great temple, and now I quit it full of admiration for the genius of the builders. Of a truth, these Toltecs had a very clear idea of the requirements of comfort and beauty in the construction of their dwellings, when we take into account the climate in which they lived. The pyramid was a necessity in these torrid and insalubrious regions. Then, what a magnificent view greeted the eye, as the spectator stood upon the summit of one of these pyramids! To the north he had before him a chain of little hills crowned with palaces; then he had a view of the beautiful river—in summer a torrent, in the rainy season a great stream—its waters rising to the foot of the wooded hills and to the cultivated uplands. Looking southward, the eye surveyed a vast plain, hemmed in by the distant sierra. The inhabitants enjoyed a cool, pure atmosphere, removed from the unwholesome miasms and the insect plagues of the lowlands.

March 27th.—I sent out scouts this morning to explore the right bank of the river, where I was given to understand that other monuments were to be found. This was an error, it appears, for no ruins were discovered. Nevertheless, considering the importance of the city, it seems almost impossible that there should not have existed on the opposite bank a sort of suburb. In traversing the forest we found everywhere ruins upon ruins, but none of them were in sufficiently good state of preservation to be photographed; still, we found many sculptured stones and door-posts, of which we made casts.

To sum up, if Lorillard City is not the "phantom city" of Stephens, it is at all events one of the most important of these Central American cities—the cousin, sister, or daughter of Palenque. And unquestionably this discovery is one of the most brilliant results of the present expedition. But time presses, our provisions are giving out, and my secretary is in so enfeebled a state that he must return without delay. He is quite unable to walk, his legs are frightfully swollen; from ankles to waist his

body is one ulcer. How will he be able to endure the hardships of a journey of eight days to Tenorique? We shall have to transport him on a litter.

PASO DE YACHILAN, *March 29th.*—We left Lorillard City this morning at six o'clock, and arrived here at two. I find my mules and my men in wretched plight. Most of the men have been ill, and I give quinine to three of them. The following morning the old Laconadone brought to me his two wives and four men, and I made them presents of salt, machetes, and cloth. "He is a god," they muttered to one another. "He is a god, for he gives us so many things." Nevertheless, I cannot obtain from them a garment, but they gave me all their arrows and seven bows. The garment is revoltingly dirty, and they wear it till it falls to pieces. The cloth is as coarse as sail-cloth, but soft and pliable.

One of the women is young and handsome, but with bloodless lips. In all of the people the flesh seems flabby and soft, and they have an anæmic look. It is not easy to distinguish the youths from the women, for all alike wear the hair long, have heavy necklaces, and are clothed with the same kind of tunic. The women, however, wear two eagle plumes in the hair.

As I have already observed, these people are counterparts of the figures in the bass-reliefs at Chichen, having the same aquiline profile, slightly oblique eyes, and small ears. The language they speak is the Maya. They are very timid, and are to be feared only by those whom they conceive to have done them an injury. In many instances, they have given food to white men and guided them on their way. As for their religion, nothing is known on that point, save that they assemble in secret places in the woods, and there indulge in their little superstitions.

DÉSIRÉ CHARNAY.

THE THINGS WHICH REMAIN.

THE exaltation of sentiment produced by the tragedy of President Garfield's death was an exaltation which, in the nature of things, could not last. That ardor of sympathy, fusing ambition and antagonism, that strong sense of human brotherhood, which brought prince and peasant, the wide world over, to hold constant vigil around one couch of suffering, must perforce yield before the common duties of the common day. But shall there not linger some trace of a softening sorrow, some late remorse of love, to strengthen and sweeten the things which remain?

He who left us loved to be loved, and through those weeks of anguish and in his restful grave, God gave him the desire of his heart in full measure. Passed out from the sacred hush, the tender twilight of the valley of the shadow of death, wherein we walked through the last strange, sad summer, is it not possible for us to carry into the future's stress and strain something of its long patience and its final peace?

Yet the spring had not begun to grow green upon that untimely grave, before the passions of men raged over it with a vigor that seemed only to have gathered force from the temporary lull. Strife and contention are not the worst things that can happen in so incomplete and imperfect a world as this. First pure, then peaceable, is the order of the universe. In the conflict over Garfield's grave, the attacking party was grievously and wholly wrong: he is always wholly wrong who waits to fight the dead. But when the assassination gave the reform party an opportunity to be magnanimously just, it elected rather to be factiously unjust. He who takes unfair advantage teaches his foe to take unfair advantage, and does bad work for his country and his kind.

Because the sacrifice was costly, by so much its national and sacred significance should never have been narrowed to partisan

issues, which are sure to be hotly disputed and which can never be successfully defended. It was not surprising that in the first shock of horror men should clutch at any wild theory to relieve an overwhelming wrath and grief. But when, after a month of watching and reflecting, our "independent, non-partisan" newspapers could deliberately pronounce judgment, "There is a general consensus of newspaper opinion in the country—representing public opinion—that the shooting of the President was one of the fruits of the spoils system"—they were laying the fuse and lighting the match for an explosion of reactionary anger from the "machine" newspapers at the first possible moment.

Here is Guiteau, a vagabond and a villain from the beginning, who abode not in the truth; base-born of an honorable ancestry, organically and primordially worthless, instinctively and imperiously vicious, grotesquely consistent to the horrible inconsistency of his depraved and deformed being—mere human vermin. Unhappily, he cannot be considered solely as an individual. He belongs to a class. In extreme development they become Guiteaus and Jesse Pomeroys and Doctor Lamsons, but in lesser grades of villainy they infest society. The country people know them, and name them well "the devil's unaccountables," for no human logic has ever been able to place them. Honor in the blood is no talisman against them, for they spring like an excrescence from the purest strain. What the Creator of the world means, what he would have us learn, what is the preventive or the cure, has never yet been ascertained. In the lower kingdoms we treat them with tar and kerosene and whale-oil soap, with quassia and hellebore and Paris green. But when they fasten on civilization in the shape of human beings, the coarse necessities of human law seem as yet to force us to treat them as human beings. When we shall have risen to a higher life, it may be that a higher spiritual sense, a clearer perception of the essence and the dignity of human nature, will show us that the only wise and humane thing is, instantly upon discovery, not with ignominy, but with tenderness, to release these unhappy creatures from the doom of birth by the boon of death; to relegate these marred and monstrous abortions to the Creator's hand, to be reduced to the decency of non-existence, or to be furnished and re-issued with human traits according as the hand and council of God hath determined before to be done.

Meanwhile, to swear them off upon an unconnected, innocent political system is to continue the sacrifice of truth. "Not," says the thrifty non-partisan philosopher, aware, apparently, of the fatal weakness in his argument, but in no wise disposed therefore to relinquish it,—"not that the spoils system includes assassination among its methods, or looks kindly on Guiteau, but in a general way it develops Guiteaus." So does the family, for Guiteau sprang, full-armed for vice, from the bosom of a once respectable family. So does religion, for Guiteau was a Christian before he was a politician and after he was an assassin. He is so pious a Christian that the profaneness of his jailers vexes his righteous soul. He occupies his leisure in Bible reading. He pressed into Beecher's church and proffered aid to Moody. He set lance in rest against the infidelity of Ingersoll. He never supported any political candidate so openly and perseveringly as he preached Christ. He believed so devoutly in Heaven as to think himself divinely commissioned to send the President thither, and divinely guarded against going there himself. Lifting my eyes from this page I see the far-off glittering roofs that shelter a man who slew his own child, his helpless, innocent, baby-daughter, in alleged obedience to a voice from Heaven. Religion justly refused to be held responsible for his crime, but she came a great deal nearer to the Pocasset murder than ever came our civil service to the Washington assassination.

For, let it not fail to be observed, of all the vocations upon which Guiteau has pushed himself, the public service was to him the most inhospitable. Wherever he had a chance he was bad, but the public service gave him no chance. He beat his wife, so he first succeeded in winning a wife to beat. He was driven out of Plymouth Church, but he first got in. He was roughly handled by the bar, but he had managed to secure some legal business. He was ejected by a life insurance company, but not till he had revealed himself a book-peddler. He was turned away from taverns after he had swallowed many a mouthful at their expense. But at the door of the "spoils system" he knocked in vain. He never so much as crossed its threshold. Our corrupt civil service would none of him. More than this, the office which he vainly sought did not come within the scope of what even extreme civil service reformers call the spoils system. No one has ever proposed that the office which Guiteau wanted should be assigned otherwise than by Presidential

appointment. If every reform asked for were established to-day, the whole grade of such offices as Guiteau desired would be just as accessible to the Guiteaus, and by precisely the same paths, as on the second of July. Yet these undenied and undeniable facts our non-partisan philosophy steadfastly reads upside down, though forced to stand on its head for the purpose. The temptation was too great to be resisted. A man who wanted office shot the President. A horror of great darkness fell upon the land. Instantly the civil service reformer improved the situation by crying, "A man who wanted a consulate shot the President, because men who want clerkships are not selected by a board."

In the agitation and excitement of the moment, such reasoning filled the air and awoke no antagonistic roar. But it is just as certain that such reasoning will not be permitted to pass unchallenged into legislation, as it is that man, as a reasoning animal, was not permanently shattered by Guiteau's bullet. And when it is challenged, it is likely to be with a ferocity proportioned to its own fallacy. Hearts will warm with hatred toward the civil service reformers, exactly in proportion as civil service reformers made unfair political capital out of hearts warm with love.

I name no names, for on this one sad subject the union of all hearts must and shall be preserved. I therefore quote but impersonally the political moralist who says: "Guiteau had neither the references, the address, the persistence, nor the personal and business qualifications to secure appointment in private business." But neither could he secure Government appointment! Private business did sometimes take him on trial, while the Government, more shrewd, never meddled with him at all.

"But," continues the philosopher, and I am making an actual, not an imaginary quotation,—"but no such lacks would have kept him out of the public service if his 'claims' had been recognized, or his 'backing' adequate!"

"Ladies and gentlemen," said the showman, "this is the sword with which Balaam struck his ass."

"He did not have a sword," vociferated some Gradgrind of a spectator; "he only wished for one."

"Ladies and gentlemen," cried the unabashed showman, "this is the sword which Balaam wished for."

The spoils system worked perfectly in keeping Guiteau out. But if it had done exactly the opposite of what it did do, it would have let him in. Wherefore, down with the spoils system!

Guiteau was commissioned, employed, trusted by no public man. He filled no public office. He was accepted by no political party or organization. He was uniformly rejected or ignored by all political authority. The Republican Committee declined his proffered service even for the "stump" of an election campaign. Yet a religious newspaper, standing over the unburied corpse of the beloved President, could make and did make the formal announcement that "the President was assassinated by a disappointed politician!"

If Colonel Ingersoll should declare that Guiteau was one of the fruits of Christianity, he would make not a more irrational statement than they make who affirm that he was one of the fruits of the spoils system. If he should say that Garfield was shot by a clergyman embittered by not finding a paying pulpit, he would make not a more immoral statement than they who affirm that the President was shot by a disappointed politician. It matters not whether a man call himself an infidel or a Christian, when he makes these baseless assertions. He is bearing false witness against his neighbor, and the truth is not in him.

To assert that the fatal deed of this shrewd, silly, melodramatic wretch was in any sense the outcome of our political institutions, is an unwarrantable insult to those institutions, to the dignity of American citizenship, to the very honor of our birth and the quality of our blood. It is to slander our Republic before foreign nations. It is to put a weapon into the hands of every Old-World tyrant, and to forge a chain for the limbs of every tyrant's victim. The despot has the same right and reason to say that Guiteau is the fruit of free suffrage that the civil service reformer has to say that he is the fruit of civil service corruption. Guiteau is no more the fruit of the spoils system than the rose-bug is the fruit of the rose-bush. He is the fruit of no political, or religious, or social system whatever. He is not fruit at all. He is excrescence. He is disease. He is a malignant pustule of humanity which no known principle of moral or natural science could cause or cure. That lurid, arid, acrid intelligence, unguided by conscience, unwarmed by love, which serves Guiteau for a soul, is a result of inscrutable laws of the universe. It was but the frenzy of a people, wild with

grief, and rage, and horror, which snatched him out of the weltering abyss of being, and set him atop a monumental civil service corruption phantom. Guiteau is a substance as foreign to our body-politic as was his bullet to the body of his illustrious victim. What society has to do with him is to see that he is safely encysted in a prison cell or properly extracted by the law.

This indiscriminate, wholesale, and baseless accusation does lasting mischief to our civil service. The enormous volume of the business of our country, the rapid increase in population, our top-heavy and foot-false educational system, educating boys and girls out of the valuable industries into superficial and comparatively useless scholastic acquisitions, has brought a constantly increasing pressure for the lower and least exacting grades of public service, which is well-nigh intolerable to the dispensing officers, which threatens to block the wheels of Government, and which seriously hinders the public business. This is a real, undeniable evil, for the abrogation or mitigation of which all good citizens can unite, and to which may well be brought the careful attention, the wisest thought, the most deliberate judgment of the Republic. To go beyond this, to stigmatize our civil service as a mass of corruption, to stigmatize office-seekers as greedy, unprincipled, remorseless, is to sacrifice the truth, to arouse just antagonism, and wantonly to hinder needed improvements. The great obstacle to civil service reform to-day is civil service reformers. The mass of people who seek employment under Government are as worthy citizens of this Republic as the mass of citizens who seek employment at the banks, and stores, and desks. They are just as honest and just as respectable as the editors and the clergymen who revile them. It is no more rapacious for a merchant's clerk to take his trunk and go to Washington to ask Minister Sargent for a place in the foreign service, than it is for an Andover graduate to take his carpet-bag and go to Brother Sargent's in Boston to secure a pulpit to preach in the next Sunday. There are no more and no greater harpies and leeches among the followers of Aaron than of Moses. They have often been sore bested in life's battle. They are sometimes clamorous, often unreasonable, sadly often disappointed, too often exasperating; often, also, they are as strong and wise and helpful as those who rail at them, and who, upon equal inducement, will take their places in the throng of office-seekers.

Our civil service is not the mother, or the step-mother, or the mother-in-law of abominations. It is as pure, conscientious, efficient, as any branch of public or private service. In its *personnel* and in its results it need fear comparison with no civil service abroad and with no private corporation at home. Foreign newspapers, echoing sincerely enough, no doubt, the reckless calumnies of our own, may be seen lamenting our civil service as a plague-spot upon the Republic, while at the very moment the diplomatic representatives of those foreign nations are eulogizing in Washington the intelligence of even our lowest officials, and the extraordinary celerity and accuracy with which they are able to transact business! There was corruption under Grant, there was corruption under Hayes, there was corruption under Garfield, there is corruption under Arthur, but there is no more corruption among the hundred thousand office-holders than there is among a hundred thousand men selected at random from any other employment. The human heart is born unto evil as the sparks fly upward, but there is no heavier shower of sparks flying up from the national treasury than from the life insurance companies, or from the school boards, or from the women's banks. The dishonesty of the New York City press would wreck the Government. By every possible test, the Government service makes the best showing. The very newspapers that fill one column with sweeping charges against it, fill the next column with statistical proof of its ever increasing accuracy and economy; and recognize no incongruity, perceive no relation, between the two columns. Civil service reform will remain what it is, unreal, useless, harmful, so long as it is not founded on facts. It may manipulate legislation, create boards, coquette with conventions; but the one thing which it will not do is to reform the civil service.

Worse than the effect upon any industrial department of this disregard to truth is its effect upon popular speech and thought. Exactness of apprehension, accuracy of statement experience a constant depreciation of value. Falsehood in those who assume to be the conservators of public virtue begets not only irritation but more falsehood. In the storm of charge and countercharge, the questions of honesty or dishonesty, fact or rumor, are apt to be trampled under foot. Integrity is just as likely to be scarred, villainy is just as likely to be overlooked, as each to receive its own.

"Out of all this" (the President's suffering and the nation's sorrow), says a religious newspaper,—the leading organ of the leading religious denomination of the leading intellectual section of the country—I need not say that I refer to my own modest but beloved Massachusetts,—"out of all this comes the lesson that upright and Gospel principles must be introduced into our national service."

Would any mind, trained to consecutive thought or to the meaning of words, wreck its reputation on the possibility that a Government which—to mention but one thing—funds its public debt as this Government did during Garfield's brief administration, is yet to be introduced to Gospel principles?

Or, to take another tack, granting upright and Gospel principles to be yet unknown to the national service, where shall we look for a stock to introduce more hopefully than in the American Bible Society? Especially founded for the dissemination of the Gospel, that society must surely have an ample supply of Gospel principles. But the Rev. Leonard Woolsey Bacon, no mean authority, says publicly, July 7, 1881:

"The constitution of the Bible Society may be briefly described as absolute government by a ring, limited by the annual possibility of a mob. . . . By dextrous avoiding of divisive questions, by backing down from their right and duty for fear of an agitation, the management of the Society have kept thus far from the general knowledge of the public the grave fact that its constitution is rotten in every timber. . . . The longer hiding of the constitutional condition of the Bible Society, and the inviting of charitable gifts, to be deposited where their security is constitutionally impossible, seems a scandal against public morals. . . . I seriously believe this fat, overgrown, lazy monopoly to be a public nuisance, . . . the principal existing hinderance to the circulation of the Holy Scriptures."

When it shall be charged that our Treasury Department is the principal existing hinderance to the collection of the public revenue and the payment of the public debt, that our Navy Department is what kills our commerce, and our Post-Office the barrier to communication, then our civil service will be reduced to the level of the American Bible Society, and there will be more pertinence in the lament of religious newspapers, and more discernment in their craving for Gospel principles.

The dead President, whose love and praise were upon every pulpit and platform and newspaper in the land; whose brave and simple bearing in the teeth of fate received such swift,

sympathetic admiration; whose integrity, steadfastness, courage, magnanimity, long-suffering have been recognized and emphasized, and almost apotheosized, he is the same man now—silent in his narrow bed, rejoicing in the Heaven of heavens—that he was ten years ago. The assassin's bullet did not fire into him a sudden virtue. It was there before. But within these ten years the same lips that laud him now have spoken of him in language we should be loath to recall. They have probably forgotten it. The people have forgotten it. We may be certain it was well forgotten before he was nominated at Chicago. He was not the man murderously girded at. His name was not then sharp-pointed high enough to concentrate the desolating stroke. He did but breast the fury of an indiscriminate storm. Those to whom he was then but a name may have forgotten that behind the name was a living soul. But I remember. It was then a strange thing in my experience that a man's reputation should be blackened for mere political effect. And I refer not alone to his political opponents. Organs of his own party assailed him—not, I think, through malice so much as through a certain cowardice of respectability. They threatened their own Speaker of their own House of Representatives with degradation and defeat if he did not degrade this man from the honorable position, his appointment to which had been but the just recognition of his eminence. I name no names. I wish to incite no rancor, nothing but repentance and reformation. I only pray newspapers to go back, not over their neighbors' files, but over their own, and find the articles, some of which I hold in my hand at this moment, and which I cut from their columns in their day, for no definite purpose, but only to see whether the salvation of the Lord would ever come—whether the Author of this world cared to have character redeemed and truth told in this world, or whether in the divine esteem the vindication of character be less important than the formation of character, even by the crucifixion of that which a proud, sensitive, and honorable man holds most dear. In the last campaign our papers complained bitterly of Democratic mud-throwing; but nearly every clot of mud flung at General Garfield was scooped up from a Republican puddle!

The tenderness of the nation for Mrs. Garfield, its pity for her suffering, its sympathy with her sorrow, have been overflowing, inexhaustible, past all question sincere. Indeed, that

sympathy was so active that it rather o'erleaped its sel' and came down on the other side. The gravity of the situation was such as no absurdity could conquer, but in their insatiable desire to love and support Mrs. Garfield, men forgot truth to truth so completely that only Mrs. Garfield's own quiet, unassuming, never-failing modesty saved the ideal. It was perhaps their absorbing grief that made men for a time oblivious to the self-denial, the devotion, the life-long service of their own wives and mothers. Women did not, as they were bidden, admire and emulate Mrs. Garfield; they watched with her. The great mother-queen knew what sword pierced through her own soul when her royal husband was torn from her side untimely. The beautiful princess remembered still the long watch, the slow dread of that deadly fever at Sandringham. Every woman who has seen the chill of death settling upon the brow of love felt the anguish alternating with hope, the patience trembling into despair. Her countrywomen hold Mrs. Garfield in their hearts in spite of all her countrymen's foolish moralizing, because doubly and trebly their own is her smiling fortitude, her love that mastered weakness, her quiet, steadfast courage, her faith and her fidelity. They rejoice to see on the heights the same clear, steady light that illumines the valley homes.

But when respectable, Republican, religious newspapers were holding up Mr. Garfield to public execration, who thought of Mrs. Garfield? She was the same woman then that she is now, loving her husband then with the same devout trust as now, holding his honor then as dear as since she held his life. Nay, I know that Mrs. Garfield would choose, rather, even the desolation in which she sits to-day, enshrined as well as enshrouded, than have been obliged to believe true the tales told of her husband in those calumnious years. The merciless bullet was not so cruel to her as the envenomed tongue which would have made her the wife of a false and faithless public servant, a betrayer of trust, a greedy and vulgar villain.

The country has echoed with proud, fond praise of President Garfield's mother—how she nurtured him through poverty and hard fate, how he honored her through honor and prosperity, how she lived for him and in him, brave, independent, always with keen and intelligent interest in public affairs. But Mrs. Garfield did not rear up her son after he became a candidate for the Presidency. All the strong traits she gave him, she gave

him fifty years ago. All the careful training she gave him was well-nigh finished forty years ago. Who thought of the old mother, of her painful life, her loving care, her wise counsel, her tender heart, when the reputable and religious newspapers were depicting her son as a craven miscreant? Nothing has happened since then to change character. President Garfield was not a reformed drunkard. He was not a converted coward. He was not a redeemed liar. He was not a penitent thief. No word of confession or remorse over these alleged vices or crimes ever fell from his lips. He is the same man now that he was then. If he lived a rascal he died a rascal. If he was a rascal, a rascal bore himself through all the intimacies of college life, through all the familiar outgoings and incomings of rural neighborhood, and among all the people that knew him best, as an honest man; and when the final test came—such a test as comes to few of all earth's countless millions—he met it in a way that challenged the world's regard, and will set his name on high so long as the world lasts. If vice did this, what more could virtue do?

If General Garfield is not a villain, if, in whatever world waiting, he is a brave, upright, and honorable man, then a brave, upright, and honorable man were his own countrymen doing their clamorous best to defeat and defame. He lives to-day in their hearts, not because of their justice or their mercy, but because his strong soul overbore the sting of slander, waiting for deliverance the bullet of the assassin.

But it was a sharper pain than the murderer's stroke—a sterner fight than death's. Let no man say that the anguish inflicted by slander can be exaggerated. There comes a time when the soul is lifted above its fiercest and vilest onset, measures finite falsehood, ignorance, and malice against eternal values, and pursues its steadfast way, not only unmoved, but well-nigh unannoyed. But with a great sum great souls obtain this freedom. Hot burns the fire and long, that tempers the steel that forms the armor that shields a man against these poisoned darts. The bravest may for a moment recoil when first his character is assailed. It is no shame for an honest man to waver one dazed moment, blind, paralyzed, totally unprepared, as he must be, for an attack upon his honesty. The rogue knows in what quarter to look for the foe. The honest man is equally open to surprise from all quarters. The fierce, strange, sudden onslaught wrung from Garfield's startled soul a sharper cry than all the shock of battle or the fiery breath of death.

On the first Sunday after his welcome and delayed departure, the pulpits, East and West and South and North, rang with his praise—praise of his integrity, his courage, his Christianity. But he did not heed or need it. Can praise

> 'Back to its mansion call the fleeting breath;
> Can Honor's voice provoke the silent dust,
> Or Flattery soothe the dull, cold ear of Death?"

Of all the pulpits that extolled the dead, how many stood forth in his troublous time to defend the living? How grateful and helpful then to the throbbing heart, to the strained, pained, sensitive ear would have been the voice of religion raised to bid back the tide of partisan detraction! How timely then for morality and piety to say: "This man, assailed, has been known through all his forty years as a dutiful son, a conscientious student, an enthusiastic teacher, a faithful husband, a blameless father, a loyal soldier, an upright citizen, a patriotic legislator, an unspotted Christian, a strong man. Forty years of unblemished and brilliant virtue shall not be swept away by the exigencies of a political campaign." If such voice were raised, if religion did anything except clear her own skirts by helping defile him, I never knew it.

The lesson, then, which the assassination of Garfield should chiefly teach is not to assassins, office-holders, office-seekers, or others of the disreputable and dangerous classes. It is to the respectable and the religious, and that lesson is—to speak the truth! The Abana and Pharpar of civil service reform may have a loftier sound, but in this one little Jordan of practical reform must our souls first wash and be clean. Our national danger lies not in the corruption of people in office, but in the falsehood of the people out of office—in ourselves, so far as we are the public which loves or the paper which makes a lie. It is not always, perhaps not often, the falsehood of malice or money. It is often the falsehood of carelessness, of sensationalism, of minds untrained to reverence the sanctity of truth, to discern and to respect the meaning of words. But

> 'Evil is wrought by want of thought
> As well as by want of heart."

In President Garfield's great heart was no room for malice. The barbed arrows of slander diffused no blood-poison through

his spirit. He came out of the fiery furnace, not unremembering, but gentle, genial, generous still. It was no shriveled soul that knocked at Heaven's gate, but a man who had borne his wrongs and his honors alike as becomes a man. He recks no longer of blame or praise on earth. He appeals to the public opinion of another world. But it remains to us to decide whether the American people shall render its blame or praise of no value by words without knowledge and without conscience. It remains for us to discover whether there be not a more excellent way to serve the Republic we love than to hound her sons through life to honor them with whatever honors in death.

GAIL HAMILTON.

FALSE TASTE IN ART.

SOCIETY civilizes the world, and women civilize society. Never in the history of social development has this truth found fuller illustration than in the growth and ripening of a taste for the fine arts in America. In a country where there is as yet no leisure class, where the men are almost all engrossed from year's end to year's end by the most absorbing of all pursuits—the pursuit of wealth, and, in the brief hours of respite from work, by the most fatiguing of all recreations—the pursuit of pleasure, it is clear that the male part of the population must be only too glad to have their opinions and tastes, in all that does not concern their working life, directed and formed for them by the more cunning wit and subtle intuition of their womankind. Women in America, to their honor be it said, find much that is useful to do, much suffering to alleviate, and many hospitable and social duties to perform, and, being the women they are, they do these things with their might. Nevertheless, they have much time on their hands; the wives and daughters of the rich form as truly a "leisure class" as do the gentlemen of England. Wealth is rapidly acquired in America, and, to all intents and purposes, the spending of it is largely in the hands of the women. What could be more natural, under these conditions, than that the countless objects of luxury, adornment, and of greater or less artistic merit, which teem in the house of every prosperous American, should bear the impress of a taste feminine rather than masculine, exuberant rather than severe? What more certain than that this exuberance will, if unchecked, gain the mastery, even as we have seen it in the last few years creep stealthily, from the darkened interior of the boudoir that nurtured it, to the windows first, then to the eaves, then higher still, so that it has overspread the face of our architecture as an embroidered veil?

The question of taste, as Sidney Smith showed admirably in his lectures on the subject, is one of the widest and most important to society, while it is one of the most difficult to define or to reduce to a common measure with the other perceptions of man. Considered, however, in its more narrow interpretation, as applied to the appreciation of what is most permanently harmonious in the fine arts, the obstacles to a clear conception of what is, and what is not, good taste are vastly diminished. Good taste in art will show itself just as much in the selection of wall-paper as in the choice of a picture or of a statue, but it will also show itself in the subordination of the paper on the walls to objects of greater interest. Necessarily in a country like ours, where every kind of luxury is in common use, much money is devoted to mere decoration, immense sums are yearly sunk in the ornamentation, both interior and exterior, of houses which in a few years may be converted into shops by the advance of the business quarters of the great cities. This great expenditure is constantly justified on the ground that it gives encouragement to the arts; it is further maintained that reckless extravagance is a duty incumbent on the rich, inasmuch as many of the working classes are thereby kept in active employment. With the economical fallacy involved in such a proposition I have nothing to do, but the idea that art, the best kind of art,—the art which has given masterpieces to the world,—is encouraged by a more than barbaric profusion of display in stained glass, tiles, and colored marbles; or that the men who paint good pictures and chisel good statues are a whit better off because houses are built whose strange architecture out-Saracens the Alhambra, whose gargoyles and flying buttresses seem to belong no more to them than the great statue of Memnon belongs to the Cathedral of Cologne,—these ideas seem to point to a radical misconception of what art is. A tenth of the money yearly spent in the grotesque would be a princely foundation for an academy where men and women might study the beautiful.

The result of all this is, of course, that even where there are great works of sculpture and painting to be seen,—dearly bought masterpieces, to possess which is as much an honor to the country as to the individual,—the great canvas or the matchless marble suffers terribly by the undue exaggeration of its surroundings. The eye, accustomed to the endless knickknack, bric-à-brac, and arabesque, can no longer follow the pure lines of a great statue,

or grasp the drawing and the color of a master's painting; rather does the perverted understanding regard the statue as a piece of furniture, while it values the picture according as its coloring suits the room for which it was bought. Doubtless the so-called æsthetic party in England have some true conceptions about the universality of art. The beautiful, according to them, should be cultivated in everything,—in the great and the small business of life; from the building of dwelling-places to the clothing of the body; from the picture on the wall to the hair on the head—between which latter, by the way, there seems always to have been some connection in the artistic mind. John Constable, in 1822, writing to Archdeacon Fisher, said of a young artist who wished to come to London: "Perhaps he prefers starving in a crowd, and if he is determined to adventure, let him by all means preserve his flowing locks; they will do him more service than the talents of Claude Lorraine, if he possessed them"—a piece of advice recently followed with success. The æsthetes would omit no detail, no matter how mean, in the business of beautifying every-day existence. If they cannot find the beautiful in everything, they mean to put it there, so that they may not be disappointed, just as the cunning alchemist used to conceal a lump of gold in his crucible before he began operations, in order to make a certainty of it. They forget that this minute attention to details drags the mind from the larger and more human thoughts, wherein alone is the spring and source of art. They forget that truly artistic nations care for none of these things. For instance, the Italians, who are without doubt the most finely and delicately organized people in Europe, and who, whatever may be said of their modern schools, have done more for art than any other race, live generally in a manner as simple as it is free from every kind of affectation. The Germans, too, in whom a powerful and versatile imagination has always been the most prominent trait, are so entirely without that taste for luxury which characterizes both the English and American society of to-day that they are often called "barbarians" and "a coarse race" by people as inferior to them intellectually and physically as they are far behind them in true refinement of taste. The Germans, while possessing a great number of masterpieces of art, and, what is more, being conscious of undiminished power to create objects of lasting beauty, are singularly indifferent to the minor adornments of life. They will even, in their indifference,

outrage the most ordinary laws of form and color with perfect equanimity. Italians, also, in their houses show an utter disregard for what we understand by taste. Hideous vases of artificial flowers are to be found in the "best room" of almost any middle-class dwelling. I have heard Italians say of these, "Well, they are not so fresh as real flowers, but they have the advantage of not smelling." Of course I do not pretend that this carelessness about every-day surroundings is in any way essential to the cultivation of the fine arts; such a proposition would indeed be untenable; but from the examples adduced it seems clear that those surroundings are independent of the creative faculty, and it is certainly true that Italian simplicity throws Italian genius into a bold relief.

There is a story told in Sir Thomas More's "Utopia," which bears closely on the question of luxury and extravagance of taste in the small things of every-day use. It is true that More invented the history of the Utopians to explain his somewhat peculiar ideas of political economy, but the manner in which he describes the position occupied by the precious metals in Utopia shows that he had a very just appreciation of the artistic value of luxury. He says that: "Whereas they — the Utopians — eat and drink in earthen and glass vessels,— which indeed be curiously and properly made, and yet be of very small value,— of gold and silver they make vessels that serve for the most vile uses; not only in their common halls, but in every man's private house. Furthermore, of the same metals they make great chains, fetters, and gyves, wherein they tie their bondmen." Further on in the same chapter, More expresses his profound contempt for gold in the following highly original and vigorous manner: "They marvel also," he says, "that gold, which of the own nature is a thing so unprofitable, is now among all people in so high estimation, that man himself, by whom, yea and for the use of whom, it is so much set by, is in much less estimation than the gold itself. Insomuch that a lumpish blockhead churl, and which hath no more wit than an ass, yea and as full of naughtiness as of folly, shall have nevertheless many wise and good men in subjection and bondage, only for this — because he hath a great heap of gold!" Whether Sir Thomas, had he had an opportunity of being introduced to the modern New York, would have retained that command of the English language for which he was famous, is a question I shall not attempt to answer. That he would have

thought it a good opportunity for composing a new "Utopia" is extremely probable.

It is generally conceded that Americans are more sensitively organized than Englishmen—a fact due to the influences of climate and life, precisely as meat and the flesh of game are incontestably of finer texture in America than in England, acquiring in delicacy what they lose in flavor. The keen perceptions of Americans and their lively sense of the humorous will probably save them from falling into the grotesque absurdities of the full-blown æsthete, which is a poor creature, full of vanity, content to be a subject for the experiments of erratic men of genius, rather than to occupy the obscure position in society for which its natural qualifications alone fit it. Imitation, says Colton in "Lacon," is the sincerest flattery. It is pleasant to be flattered, of course, but would any thinking being, calmly and on mature reflection, assume the position held by the "æsthetes" under Mr. Ruskin, Mr. Rossetti, or Mr. Morris? American men, being to a great extent guided in their culture by their women, will submit to living in houses of strangely fantastic and meretricious growth, in which the motto "*ars artem celare*" seems to have been reversed; they will patiently suffer their decorators to live up to that injunction which bids men not to make the likeness of anything that is in heaven, or in the earth, or in the waters under the earth. But it is not in the nature of the American to make himself ridiculous, nor to constitute his own person into an object for redundant decoration. We see little here of that extreme affectation of manner, speech, and dress which has made the coined name of "æsthete" a synonym for all that is contemptible in man and unbecoming in woman.

And yet we may learn from the æsthetes a lesson of real practical value. They are an enthusiastic and misguided body, but they have a strong sense of unity—of the bond which binds the æsthetic slave to his master *orguru*, which unites the poet with his readers, the artist with his public. They have found out that to the consistent growth of a school it is essentially necessary that the man of genius, who creates, should be met half-way by the man of taste, who appreciates the work. If the artistic sense of the buyer does not meet half-way the artist's impulses and desire to produce something permanently good, the artist will find himself constrained to produce such work as will find a market, unless, as too rarely happens with men of talent,

he is independent of a market. And not only will the painter paint down to his public, and the sculptor carve the particular species of idol which society has elected to buy, but the poet and the author will put their muses in harness to chase each other round and round the narrow circus of prescribed popular taste; the singer will sacrifice his voice for the sake of vulgar effects, and the brilliant conversationist will forever grind the same old tunes on his social hurdy-gurdy up and down the admiring lanes of Vanity Fair. Nor is this all. A false taste, nurtured by ignorance of what is good, propagated by the vagaries of boundless wealth, and perpetuated by the degenerate works of those who are obliged to live by the sale of their products, has unfortunately a permanent influence by creating a correspondingly false ideal.

If the education of the eye, the ear, and the understanding in early youth has any real effect on the taste of a generation of men, it is interesting to speculate upon the manner of minds we are likely to have among us in another twenty years. Everything in social history leads to the conclusion that ideas of beauty in form and color are acquired at a very early age, and the aggregate of these ideas constitutes the "ideal" of every individual in matters of art. It is extremely difficult to get rid of those first impressions; they pervade the mind, by the intense power of association, to the end of life. How many critics are there who would care to enumerate the things which in reality give them most pleasure? How many persons are there who are not perfectly conscious, in their inmost selves, of a predilection for some work of art or piece of music which has been hopelessly condemned by general consent, and for which any suspected liking or even tolerance entails æsthetic damnation? How many women are there who have the courage to dress as they like, and how many men in New York or in London wear ties of the hues they really prefer? These carefully concealed longings for something not generally considered tasteful are the strong impressions, the inalienable associations, produced by early habit, but which accepted opinion, that is to say what is for the time being "good taste," forbids the individual to display on pain of excommunication and loss of privilege. Hitherto, especially in America, the impressions of this kind to which children have been accustomed have been singularly few, leaving the mind ready for almost anything artistic that came in its way. Men grew up feeling that something was lacking to them, and not

wholly understanding what it was. They soon found out, however, as it became easier to cross the ocean, that what they wanted was art, or, to speak accurately, the sensations produced by objects of art; and with scant time but unlimited money at their command, they handed over to their wives and daughters, by tacit and very willing consent, the task of supplying the deficiency. The result was that America became omnivorous—greedily absorbing everything that was offered her, buying here and ordering there, collecting all kinds of good, bad, and indifferent wares, and paying several times their value in good money; so that there was not a painter, sculptor, or *brocanteur* who did not prick up his ears and lick his famished lips at the approach of the millionaire from the States, festering with gold. And so in a few years the aspect of domestic life has changed. Children are arrayed in a manner to put to shame Solomon in all his glory, not to mention the lilies of the field—which latter, however, they will probably closely resemble in some other respects; the infant mind is nurtured on picture books which rival the really artistic productions of Mr. Walter Crane only in respect of strange and unexpected coloring; the student at college decorates his room with the uncomfortably angular attributes of Queen Anne, or with the barbaric profusion which characterizes the saloon of a Long Island Sound steam-boat; and the grown man takes to himself a lot on Fifth Avenue or Beacon street, and, encouraged by his wife and his architect, rears such a pile to heaven as was not even dreamt of among the heathen.

The beautiful in art is not fickle, but hard to win. There is not much doubt, even now, as to the greater monuments of creative genius, as is shown by the willingness to pay any sum for a really fine picture or statue. But in the scarcity of these, and in the desire for those sensations of enjoyment and satisfaction which beautiful objects alone can produce, a tendency has formed itself to experiment on the eye by every legitimate and illegitimate combination of material, form, and color. The fictitious idea that what is patched and old, if reproduced in fac-simile, will be pleasing, is one of our most wide-spread errors. People forget that whatever beauty there is in the architecture of the irregular English country house, where the "Elizabethan," the "Queen Anne," the "Tudor," and the "Norman" elbow each other for the mastery, is due chiefly to romantic association, recalling, as many of those dwelling-places of ancient families

do, the brilliant and stirring traditions of the hereditary lords of a great race. Those homes of warriors and courtiers tell a real story; every addition represents an episode in history, every ruined wing some vicissitude of fortune; massive material lends dignity to the strangest irregularities, while storm and rain, wind and sunshine, have mellowed the tints and softened the outline, dealing kindly with the old house. But a fac-simile of the original, on a pigmy scale, with every turret and tourelle, rampart, "jutting frieze, buttrice, and coigne of vantage" reproduced in inferior material and planted on the Newport cliff, suggests neither warrior nor courtier. Such houses have no right of existence—no *raison d'être*—in these days. The numerous additions which, in the original, were necessary for the comfort and convenience of an increasing household, are senseless mimicries in the imitation; for is not every man at liberty to build from the first a habitation in which he may turn around without injury to his head, and which he may enter without danger of carrying away a part of the portcullis with his hat?

Americans, like other rich people with whom wealth has not been long hereditary, have yet to learn the extent of its uses and the limitation of its power. But since there is so much more money got and spent here than in most other places, the question of its application is one of paramount importance. Beauty, as before said, is not changeable, though difficult to win. Money will buy the best pictures and the best statues, but no amount of mere money will produce an artistic whole. There may be the gold, the architect, the material, and the will, but these things cannot make up of themselves what shall be *totus, teres etque rotundus*—they cannot make a Versailles, a Miramar, an Alhambra, or a Golden Horn. There is something more required, and that something is the expression of a nation's true understanding of good taste, or, as I previously defined it, the appreciation of what is permanently harmonious in the fine arts, as distinguished from what is the "rage" for the time being. If we turn to the remains of nations which preëminently possessed that perception, though they made use of the most widely differing expressions for it; if we look at the work done by the Greeks, the Egyptians, or the Saracens, we discover a great principle, which is this: True unity and completeness of artistic conception lend beauty even in decay. The single column standing by itself, all that remains of the splendid dwelling-place of the gods, is beau-

tiful and harmonious still; the broken capital, the fragment of noble frieze, are objects in which dwells yet a deathless grandeur and symmetry which will survive so long as an inch of that surface remains whereon the hand of a nation traced its pledge to beauty.

> "The roofless cot, decayed and rent,
> Will scarce delay the passer-by;
> The tower by war or tempest bent,
> While yet may frown one battlement
> Demands and daunts the stranger's eye.
> Each ivied arch and pillar lone
> Pleads haughtily for glories gone."

But fancy Fifth Avenue reduced to the condition of Thebes. Would the recent structures of some of our Fifth Avenue millionaires in a dismantled and ruined state be pleasing to contemplate? Or would the storm-worn relics of The Union League Club call up fancies of infinite grace and poetry? It would be as reasonable to expect the remains of Pompeii to rival the Acropolis—the richly decorated resort of a pleasure-seeking and ephemeral class to rear monuments breathing the life of a nation. There is, indeed, much in what survives of Pompeian art, as compared with the pure Greek, suggesting the relation in which actual American culture of this kind stands toward what that culture might be and may be. The same profuseness, the same lavishing of expenditure on unimportant details to the exclusion of all that is simple, the same evident desire to spend money abundantly without the discrimination to spend it wisely.

But there is something to be said on the other side. Wealth is no evil in itself, nor is it any drawback to a full and permanent understanding of art. It is the misapplication of it that is dangerous, the pouring of it into the hands of venders of doubtful bric-à-brac and the opening of unlimited credit for the decorator, who cannot be expected to reject the opportunity for experiment and display or the substantial remuneration thus offered him. But if a portion of this gold were spent in promoting and encouraging a more serious kind of art than that which displays itself in tiles, and disports itself in the manufacture of improbable beasts of prey and uncomfortable pieces of furniture, the steps toward a realization of what Americans really hanker for—a life of artistic surroundings—would be more rapid, not to say

more graceful. We cannot create a past embracing many centuries of feudal oppression and robbery, internecine strife, plunder and cavalierdom, nor can we acquire that romantic spirit of fetich worship which clings around the tombs of beheaded kings and murdered princes; nor should we desire to dwell in houses and surround ourselves with objects more appropriate to such a past than to the future we have a right to expect. There are many who know this well enough, and who feel that, the sooner we abandon an elaborate and expensive mediævalism, the sooner shall we arrive at what we most desire for ourselves and our children. Where so many are rich, and where so many are cultivating a true taste and discrimination by studying the great masters abroad, not merely for the sake of learning the trick of distinguishing between a Venus of Rubens and a Madonna of Raphael, but because they really love the beautiful, and desire to love it better, there are of course not a few who already show admirable judgment.

There are buildings in New York which would adorn any age and any country — witness the Lenox Library, which is worthy to rank with the famous "Maison Carrée" of Nîmes. There are collections of pictures which compare favorably with any gallery of modern masters of the same size, and above all there is throughout the country a genuine striving after a higher degree of art culture, and a most sincere desire for what is beautiful, graceful, and enduringly harmonious. But the beautiful things we possess are sadly handicapped by their surroundings, and the fair proportions of our most harmonious buildings are drearily dwarfed by the efflorescent and semi-barbarous embroideries of their most unneighborly neighbors. There is but one prayer to be offered up for the future of American architecture and American house decoration, and that is for simplicity and grace; while the greatest boon one need desire for American artists is that a tenth of the money yearly squandered in profuse and wasteful ornamentation may be some day devoted to the purchase of such works of lasting value as they may produce.

FRANCIS MARION CRAWFORD.

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Tros Tyriusque mihi nullo discrimine agetur.

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PROGRESS OF THOUGHT IN THE CHURCH.

It may seem strange to say that, if the American people are ever driven away from the Church, and from faith in the Christian religion, it will be the fault of the Church and of the Pulpit. Believing is more natural to our people than unbelieving. The parental instinct seeks a conserving religion for the children's sake. Whatever the father may desire of influence, of wealth, or position, there is always that mother, who judges all things by their relation to the welfare of her children. To her the child is the pivot on which the world turns. The supreme question with her is, What effect will new movements or doctrines have on my children? There is an ineradicable belief that Christian morality is the safe road for childhood to manhood, and that the qualities enjoined by Jesus are indispensable to success in this life, even if there shall be no other life. The household, therefore, is a bulwark against infidelity. The household is a church. The strong and ineradicable love of mothers for their offspring is priest, prophet, and preacher.

In nations where the Christian Church has been made partner with the State in great oppressions, there may be a wasting revulsion, and, as in France, the popular instinct may be away from faith, and the grossest paganism may for a time prevail; but not in America. The Church here has always been of the

people and for the people. Its ministers have been leaders in education, in public spirit, in patriotism. There may be dogmas and doctrines to be ousted, but no wrongs to be avenged. From the colonial days men know that the churches of America have been the organized centers of benevolence, and from them have issued the faith which sustained the Colonies in dark days, the enthusiasm which has overthrown national dangers. There has never been an organized infidelity—unbelief has no gospel. Eminent and good men have been infidel to church creeds, seldom to religion. The scoffing infidelity which believes nothing, and seeks to eradicate faith, root and branch, is uncongenial to the temper and good sense of Americans of native birth, and of American education. From nature, from training, and from domestic common sense, as well as from a higher inspiration, our people are inclined to religion. They may tolerate change in its institutions, they may amuse themselves with the wit of good-natured infidels, they may applaud intelligent doubt which refuses the weeds which have been bound up in the sheaves of theology, and that unbelief which simply refuses to take a part for the whole; but, the rational reverence, the aspiring ideality, which work away from the gross and the low, will forbid the American mind to join in wasting skepticism. It will demand something better for everything it gives up.

That a great change, progressive and prophetic, is passing over the public mind, in matters of religious truth, there can be no doubt. It is worth our while to study the nature and direction of it, and the causes which are pushing it forward.

We are passing out of an age in which churches are reverenced as divine by an ordinance of God. Men are coming to believe the function of churches to be eminent and divine, but not their structure and origin. Churches have grown from the necessities of human nature seeking moral elevation, as schools grow up from the necessities of intellectual development; as eleemosynary institutions grow from the requirements of humanity; as civil governments grow out of the necessities of society. God created human nature, and, in a sense, all that is necessary to it. He created iron, but not machinery; forests, but not furniture; textile substances, but not garments; colors, but not pictures; a religious nature in man, but not schools for religion. The progress of such views will ultimately give strength to religious organizations; will take them away from superstition and credulity, and

plant them upon grounds of reason. Their usefulness will be their preservation. But a change in the philosophy of organizations does not destroy or even enfeeble Christian institutions. The activity of Christian churches shows no decadence; churches are found springing up in every nook and corner. They march with the army of emigration. They spring up in territories and new states at once. Not the cabin, the court-house, or the school, are more sure to appear on the pioneer line than churches. They follow the plow, and spring up as seed from its furrows. Nor are the benign activities of Christian churches slacking; everywhere they are fountains of benevolence. They are in every village the organized centers of influence for morality, for education, and for public spirit. The activity and whole benefit of the churches are not to be found inside the churches any more than the benefit of the sun is within the sun. The light-house is not for its own illumination, but for those far and near upon a troubled sea. Churches shed their light through all the moralities of society.

Churches in America of all sects universally inspire intelligence, and lead in founding and nourishing schools for popular education, and institutions for higher culture. They follow the march of population, and, almost faster than emigrants build their houses, the organized Christianity of the land lays foundations of sound learning. Six millions of Africans have just passed through the Red Sea of war to the promised land of liberty. Already schools, colleges, and theological seminaries spring up among them, planted and watered by Christian beneficence. It would be wrong to say that beneficence is confined to Christian churches. But it is not to be denied that the Christian churches of America lead the way in every movement for the education of the common people, for the redemption of men from ignorance and superstition. The impulse of sympathy is not occasional, fitful, irregular; it is organized, steadfast, always abounding.

Certainly, in no other period or nation has religion been such an inspiration to whatever is humane, liberal, and generous; to whatever is pure, true, and just; to whatever is genial, sympathetic, and chivalrous in public spirit; to whatever is brave, heroic and refulgent in just war, or indulgent and fruitful in honorable peace.

The religious sentiment was never so intelligent, or so strong, in America as now. If it seems less intense, it is because it is less

narrow. It now embraces a world of influences unknown or unfelt in the Puritan period. Aspiration, reverence for God, sympathy with his works, the refinement of strength, sympathy with all that is generous, magnanimous, or just, were never so widely diffused. Men no longer are shut up in a church and a family. These are but sacred altars whose light and fire shine though an almost illimitable sphere. Riches have taken the place of poverty; with riches have come art, knowledge, variety in social life, innocent pleasures interlacing life's daily burdens; civil liberty has brought duties and occupation to all. The religious spirit diffuses itself as an atmosphere over all this firmament which declares God's glory, and the earth which is increasingly full, to men's apprehension, of his handiwork. This diffusion of the religious spirit is more in consonance with the divine nature, and with the best nature of the world—with historic religion itself, than that circumscribed element which is to be supplanted.

A marked change has come over the spirit of worship. In mediæval and monarchic days, worship was veneration pivoted on fear. God was not yet a father, worship was not yet a love. To abase oneself, to fall prostrate before the unknown, to dwell upon one's inferiority, and to mortify one's natural and innocent impulses, was thought acceptable to God. Veneration is not less than formerly, but its language and attitude are changed. Its voice is no longer the voice of fear. It has learned the manners and expression of liberty and of love. It has blossomed, and is more fragrant and beautiful than when in its early state it had but rude leaves. Those who have seen veneration only under black robes, in superstitious bondage to forms, and speaking the language of the ascetic, do not recognize it as it moves with freer step, a voice of music, and in garments of light.

Christianity as a law of sympathy was never so strong as in this age. The brotherhood of the human family is recognized as never before. The literature of our age, at home and abroad, is humane to a degree never known before. Amid much that is pure and noble in French literature there is a rank and foul growth of sensuous and brutal paganism. The taint has infected more recent English writings. It is the peculiar glory of American literature that as yet it has contained no immoral or corrupting poets, novelists, or essayists. The German language carries with it knowledge and speculation. The French language conveys science and art with elegant literature. The English

language and literature, above all others, carries knowledge, liberty, and religion. As that language is taking precedence of all others and settling itself all over the world, it diffuses that inspiration which ennobles manhood, which teaches men to build free States, which tempers justice with humanity, which raises the humblest citizen to a participation in all civic affairs, and opens to every one alike every path to influence, to fame, to wealth, and to intelligent happiness.

A better spirit prevails among sects. The lines of division are but lines, and not walls. There is no sign of outward mechanical unity, but there is an increasing sympathy between churches of differing creeds and ordinances. Christians of all denominations come together in matters of patriotism, of education, and of the reform of morals. Clergymen can now pass from one denomination to another without insincerity. One may in succession join or preach in the Methodist, the Baptist, the Presbyterian, the Congregationalist churches, with no more imputation of having changed faith, or been insincere, than would a citizen be charged with civic indifference or insincerity, who in succession should reside in Connecticut, New York, Ohio, and Oregon.

Churches are permitting greater liberty of theological thought in the ministry than ever before; not because of laxity or indifference, but because there is a growing conviction that great-heartedness is more akin to the Gospel spirit than dogma or doctrine. If men can do good work in art, mechanics, husbandry, or any other secular calling, they are judged by the work which they perform, and not by the tools which they use. At length common sense is permitting clergymen to employ their own tools, provided the workmanship is good. Even that magnificent sect that boasts that, like the eternal arctic zone, it never changes, has come under ameliorating influences. It may seem to some the iceberg of ages; but its voyage is toward the Gulf Stream — the sun smites it above, and the warm waters gnaw it beneath. It will soon join itself to that ocean which, with shore of many shapes, with bay or promontory, with many names and many climes and many temperatures, is the one great body that sheets the globe, and by its very greatness rubs out all ragged lines, and holds its own in world-wide unity.

The Roman Catholic Church in America is brought under an invisible influence that will change or limit it more than all argu-

ments or opposition. As a human institution it has as much right to live as any Protestant Church. Its ceremonies, its liturgies, its governments, its claims and theories, are for those who like them, but are imperative on none but those who choose them. Unlike the laws of the land, they are not obligatory. But in several respects the spirit of the age is inimical to the Roman Church. Its priesthood is an aristocracy of the most intense character in a nation and an age peculiarly penetrated with the democratic spirit. It teaches with authority, and demands the submission of reason to its declarations. But, in our age and nation, Reason acts upon reasons, and not upon authority. It has therefore to contend against the invisible spirit of the age, which, in the long run, wears out all opposition. In another respect, its strength is its weakness. The one paramount doctrine of the New Testament is the independence and self-control of the *individual*. The spirit of Jesus and the impassioned pleadings of Paul were for the independence of the individual. Not that society should not integrate and organize, but that the final outcome of government and society should be derived from the magnitude, the arithmetical value of the integers. It is in this direction — the sanctity of man as a child of God — that the great Apostle is most earnest and eloquent. Every man shall give account of HIMSELF to God; neither church nor priest can answer for him. Therefore, clear his path. Lay no hand upon him; God is his master and judge. Who art thou that judgest another man's servant? To his own master, not to thy creed, government, or command, he shall stand or fall.

The essential difference between Protestant philosophy and Roman Catholic philosophy may be expressed in a sentence. The Catholic Church demands and forms a *corporate conscience*, the Protestant seeks to develop an *individual conscience*. The one employs authority, the other influence. Both instruct: the one through a submissive faith, the other through reason.

Here again the spirit of the age is against the hierarchy. The democratic disposition of our people, the tendencies of their laws and government, the genius of their schools, all work toward the liberty of individual reason and the liberty of the individual conscience. Nature and government are exhaling an invisible influence, which, as clouds and rains and frosts in long ages rasp down very mountains, will at length bring limitation, change, and reformation to the Catholic Church.

It is no wish of ours that it should perish. It is the grandest organization of time. Its history is almost the history of the race for two thousand years. Its aim is sublime and its achievements wonderful. Its faults have been great, but what great government can cast the first stone? Shall monarchy be destroyed because kings have sinned? Shall republics be disfranchised because Marat, Robespierre, and Danton have blackened the memory of the French Republic? It has healed as well as hurt. The holy men and women in her calendar fill the heaven of history with stars. Her missionary and priestly martyrs have given to human nature its crowning glories. Her literature is an imperishable treasure. Her hymns have convoyed myriads through sorrows and darkness to light, love, and victory, and are still chanting in the air, in every tongue, to all within her communion, or out of it, as with angel voices, words of divine love, of Christian hope, of triumph over death, of immortality in heaven. I am her son, her brother, her lover; but, as son, lover, brother, I desire for this great sect such inspiration and purification as shall bring her into accord with the inward purposes of Christianity, and reconcile her to the aim and drift of divine providence in this age and nation. Then, with fervor of joy, I can say: "Peace be within thy walls, and prosperity within thy palaces; for my brethren and companions' sake, I will now say, Peace be within thee; because of the house of the Lord our God, I will seek thy good."

In every vital age, when human intelligence is quickened, there will be certain commanding influences developed, which, from their universality, their invisibility, and their unconscious influence, might be called climatic and cosmical.

First. It is supposed that the world is indebted to original thinkers, to trained investigators, to rigid experimenters, and that the common people are merely the recipients of the benefits which they did nothing to create. But this power of scholars or scientists to develop truth depends very largely upon the intelligence and sympathy of the common people. They give force, extension, and enthusiasm to the results of learned labor. They are the nurses who care for the children of the brain. They give sustenance to those who explore. They form an atmosphere, a public sentiment, around investigators. They give power and practical use to the dry products of the inquiring brain. The

reaction of popular intelligence is, in many ways, as needful to science and learning as is the special training of scholars and scientists. Both are needful for the production of a cycle of knowledge. What is the voice of one man to the response of millions as an enforcement of truth? One man kindles the torch, but a million reflectors catch the light and diffuse it. The very twilight of the pulpit may become noonday among the pews. When Israel stood between Mounts Ebal and Gerizim to hear the law, at each sentence the people shouted "Amen." What was the solitary voice of the single speaker to the thunder of that great Amen which shook the mountain and the earth? The moral consciousness of people is the Amen to the pulpit. As Sunday-schools bring thousands of young men and maidens to the humble office of teachers, they are taught to study the sacred scriptures; they are provided with helpers; they are made partners of the clergymen. They finally form the jury before which he pleads, and the autocracy of the pulpit ceases. In this way scholastic learning is gradually laid aside, mere formal logic is ranked low, and the spirit of the people, for their own sake and for the sake of their children, demands a practical knowledge that can be converted to the uses of life.

It is in this way that the pulpit is changing its methods and material of sermons. No matter what becomes of Decrees of Election and of Reprobation, an audience of fathers and mothers understand what Fatherhood is. No ingenuity or eloquence can persuade them that a God, who for ten thousand years has labored to produce an infinite population of damnable souls, can with decency be called our Father. The common sense, the humanity, the moral sense which have grown out of the Gospel are judging theology. Little by little the pulpit shrinks from mediæval theology. Ministers first gloss it by new interpretations, then they prudently hold it in suspense, then doubt it, then cast it away.

Second. There is a strong and growing tendency to enlarge the sphere of Divine Revelation by adding to the Bible the revelation of Nature, and of man's reason and moral consciousness, which are a chief part of Nature. Theology has mainly regarded the revelation in scriptural record as sole and exclusive. It has looked with great suspicion upon reason, while employing its might to forge arguments against its plenary use. It has more than doubted Nature—it has degraded it, and made

it a by-word. The school of the ascetic has corrupted men's minds, and made discord between the Bible and Nature. To lean to one's reason has been declared a sin and snare. What, then, shall we lean upon? If a man may not use his eyes, what may he see with? It is taught that man must take God's word implicitly, without controversy. But how shall he understand the word without the use of his reason? Is there no other word of God than the Bible? Have the heavens ceased to declare the glory of God, and the earth to show his handiwork? Does God no longer speak through man's moral consciousness? Is man forbidden to use his own reason while commanded to believe the reasoning of the Church? Did God sit down and write the Bible? or did he whisper all its statements in the ear of inspired men, who became mechanical reporters? Has God been doing nothing for two thousand years, since the completion of Scripture, which it is worth man's while to know? That God speaks through the Scriptures is not denied, since they are themselves the record of human experience under divine guidance and inspiration. When by their use men have grown to larger reason, higher morality, deeper spirituality, to a wisdom of life unknown to antiquity, is the revelation of God through this advanced and purified nature of man unworthy to be concurrent with the old, and to give to it a clearer and more rational interpretation?

In an important sense the Sacred Scriptures are of God. They contain precious truth. By their moral unity, and by their accord with human reason and intelligent moral consciousness, they justly hold authority over men's conduct and character. But they claim no such mechanical perfection as has been claimed for them. They have authority only concurrently with educated human reason and rational moral sense. On any other supposition, the church becomes a temple, the Bible an idol, and priests and theologians the despotic interpreters of its meaning. There can be no question that a strong influence is setting in to redeem the Bible from the hands of a narrow school of theology, to open it that the sweet wind of perpetual divine revelation may blow through it, and to bring it into unity with Nature, and to set before men the threefold divine revelation of history recorded in the Book, in universal human reason, and in the laws and structure of the world itself.

The alternative which every year will press more and more

vehemently upon educated and thinking men, is the enfranchisement of the Bible or — infidelity!

Third. A third great movement in our time is a transition from the creeds of the past to the formation of creeds adapted to the present wants and present knowledge of truth.

Much of what is called infidelity is a revolt from the errors of old theology. The Church, the Bible, the Creed, have been confounded with Religion. Religion is the state of a man's soul, it is disposition and conduct. Neither church, book, nor theology is of value except as an educating instrument. They have no sacredness of their own. They are mere servants. Man alone, as a son of God and an heir of immortality, has an inherent sanctity. But the popular impression has been assiduously cultivated that a man falls into infidelity who no longer accepts the reigning creeds, no matter how just, how pure, how beneficent his life may be. Heresy is dissent from a reigning creed. Courts and councils have again and again decided that heresy is substantial ostracism. Men may be proud, self-seekers, worldly, self-indulgent—thus denying, in practical forms, every principle of Christian life, and yet be orthodox and of relative good standing; but a saintly life, dissenting from a barbaric creed, is not worthy of sympathy or a membership in the church.

Our age is not in rebellion against clear, intellectual statements of religious truth. But there is a rebellion against the tyranny of mediæval creeds. It is not extravagant to say that a revolution is at hand in regard to the whole philosophy of Christianity, and that this revolution is led on, not from restless impatience of restraint, nor by novelty, nor by a worldly spirit, but by the deepest moral consciousness of men who love truth above all price, and who value a Christian manhood above all measure.

The signs are in the air. Men no longer preach doctrines to which they swore in their ordination vows — or they give to them new meanings, at variance with historic fact. It is beginning to be permitted men to preach their own view of truth unclipped by creeds. Sagacious and cautious men are quietly sowing seed which they know will by and by destroy old notions. Other men testify to change, by greater zeal in teaching the old symbols of doctrine. Every age has a race of men who elect themselves to the care of other men's beliefs, who appoint themselves God's sheriffs to hunt and run down heretics. They are very

busy. Men are ceasing to employ creeds as lines of separation between sect and sect, and are shaking hands in a higher fellowship over and across them. Creeds have ceased to be employed as conservatories of piety. Orthodoxy confesses that truth can no longer be kept in church or seminary by creeds, but only by living faith.

Andover, next to Princeton the very Jerusalem of Jerusalems of orthodoxy, triply guarded by a creed made tight and strong beyond all breaking or picking, and to which the whole body of its professors were sworn to reswear every five years, has, alas! with some levity and merriment, shown to the world with what agility good men could fly over it, walk around it. They interpret the creed of fifty years ago, not by what its makers meant, but by what the professors think they ought to have meant, and would have meant if they had received a full Andover course!

Fourth. The development of physical science constitutes the grand feature of the last half-century. The doctrine of the *Conservation of Forces*, and the discovery of the method of creation, viz., *Evolution*, while revolutionizing physical science, will powerfully reform social and moral theories. At length the flood of ignorance has abated, and the dove of truth has solid ground on which to put its foot. The study of the human mind from the side of physics as well as metaphysics is productive of changes of the most radical and important kind. Religion has much to hope, and the old theology much to fear from scientific disclosures.

It matters little that upon some points the great doctrine of evolution is yet in discussion. The debate is not about the reality of evolution, but, of the influences which produce or direct it. That the stellar world was not created instantly by the Divine will, but gradually through uncountable ages; that this inorganic globe was the product of slowly unfolding changes; that the vegetable kingdom did not come into being at once, but by slow evolution from simple to complex; that the animal kingdom developed from original simple forms, and attained its present condition through ages of gradual unfolding from lower to higher; that the human race has been subject to the same great law and method of creation—may be said to be undisputed among scientific men, whether Christian or not Christian. This is not all. The presumption gains ground that the chain of succession is unbroken, and that, as civilized man unfolded from the

barbaric and savage man, so the human race itself is developed from the animal kingdom.

At this point there is a halt. It is perhaps the most revolutionary tenet ever advanced. It will be to theology what Newton's discoveries were to the old astronomy. The repugnance that men feel at descending along such a road, and with such an ancestry, would foam and subside in a short time. It is not the retrospect, but the prospect, which gives such almost universal hesitation to the mind and imagination of mere scientific moralists. Its admission would be fatal to the theory of a plenary and verbal inspiration of the Bible, still held by some. The first two chapters of Genesis have been a sword in the hands of theologues of old with which to fight the discoveries of modern astronomy. Next, they were sharpened against the advent of geology. In both conflicts God prevailed, and the truth was victorious. Now, again, but upon a more tremendous issue, theology resists evolution. It is an honest resistance. To admit the truth of evolution is to yield up the reigning theology. It is to change the whole notion of man's origin, his nature, the problem of human life, the philosophy of morality, the theory of sin, the structure of moral government as taught in the dominant theologies of the Christian world; the fall of man in Adam, the doctrine of original sin, the nature of sin and the method of atoning for it. The decrees of God, as set forth in the Confession of Faith, and the machinery supposed to be set at work for man's redemption, the very nature and disposition of God—as taught in the falsely called Pauline, but really Augustinian theology, popularly known as Calvinistic—must give way.

That good men should dread the breaking up of systematic theology is not surprising. The scheme is elaborate. It represents the learning and thought, and, for that matter, the emotions of the best men of the ages. Theology is a modern encyclopedia. It seeks to arrange whatever is highest in divine nature, and whatever is deepest and purest in the human experience. Theology has been deemed the princely science, the noblest study. It has been a battle-ground. Men's lives depended on their theology. On a right definition was life or death. He who did not rightly believe in the miracle of transubstantiation had no further use for his faculties. Thus, the Protestant and the Catholic, the Arminian and the Calvinist, the Arian and the Orthodox, have built their theology as nations build forts. The

history of religious doctrines is one of the most wonderful recitations, of good sense, of *un*-sense, and nonsense. The Greek mind speculated, with its accustomed ingenuity, upon the persons of the divine nature; the Roman mind organized the elements of law, justice, and conscience, and gradually, as the church became a great worldly power, opened up eschatology, or the issues of the eternities. The excessive ingenuity of the schoolmen of the middle ages spun finer and finer the gossamer threads of ethics, and wove fabrics as marvelous as ever came from Chinese looms.

Before the science of mind had an existence, men treated the remote and inconceivable elements of the divine mind with perfect assurance. They knew God's thoughts and purposes as if in confidential relations with him. The debate respecting the persons of the Trinity made the air lurid for hundreds of years. Because the Bible called God King, the kingly government of ancient and of mediæval days furnished the elements from which theology formed the theory of God's moral government. A few texts of Scripture were enough, whether poetry, narrative, or pictorial drama, to establish a doctrine. From the marvels of the childhood of the race, from the severity of the imperious Samuel, from the tender hymns of David, from the sublime rage of the prophets, from the dreams and visions of Ezekiel, from the clouds, the trumpets, the horsemen of the Apocalypse, its auroral heavens, its lurid dramas, its thunders and mysterious voices, the honest weavers of theology drew their threads and wove their theories, and stamped them with the Bible brand, and called men infidels who should set their feeble reason against God's Word! Thus it has come to pass that theology may find itself described, after its own manner, in the vision of Daniel: "This image's head was of fine gold, his breast and his arms of silver, his belly and his thighs of brass, his legs of iron, his feet part of iron and part of clay."

In modern hands great change has come over theology, as the result of increasing knowledge. There is a uniform tendency, away from the aristocratic and monarchic toward the democratic; an effusion of tenderness toward man, and especially a revulsion from the old representations of eternal torment, so important in the convictions of energetic priests and flaming revivalists. There is still great confidence of theologians in theology. Innovations are resisted. Men are cautioned not to

lean to human reason, nor to set up their individual conscience against the ripe thought and moral sense of the Church of ages.

When even change is feared, what vigorous fear must be felt when a revolution impends? But men do not yet consider how wide apart are religion and the theory of religion. Theology, like the crustacean shell, may at first protect religion, but if it may not be cast off, year by year, for a new one, it soon oppresses and even destroys.

The dread of Darwinian views is sincere; yet a secret fear prevails that they may be true. But have men considered what a relief they will be from some of the most disgraceful tenets of theology? Are they content to guard and defend a terrific scheme which sullies the honor, the justice, and the love of God, against a movement that will cleanse the abomination and vindicate the ways of God to man? Even if the great truth of evolution led to unbelief, it could not be so bad as that impious and malignant representation of God and his government which underlies all mediævals and most of modern theology. We shall quote from the Presbyterian Confession of Faith the account given by the Church of the origin of man, and of his moral government, in the light of which the scientific account of the origin of man and the nature of sin is as health to sickness, as life to death. Instead of dreading the prevalence of the scientific doctrine, Christian men should rush toward it with open arms and exultation, as a release from the hideous nightmare of ages.

In chapter IV., sec. 2, is the statement of man's creation:

"Our first parents, being seduced by the subtilty and temptation of Satan, sinned in eating the forbidden fruit. This, their sin, God was pleased, according to his will and holy counsel, to permit, having purposed to order it to his own glory. By this sin they fell from their original righteousness and communion with God, and so became dead in sin, and wholly defiled in all the faculties and parts of soul and body."

Next in chapter VI., secs. 1, 2, is the account of the origin of sin:

"They (Adam and Eve) being the root of mankind, the guilt of their sin was imputed and the same death in sin and corrupted nature conveyed to all their posterity, descending from them by ordinary generation. From this original corruption, whereby we are utterly indisposed, disabled, and made opposite to all good and wholly inclined to all evil, do proceed all actual transgressions."—(Chap. vi.: 3, 4.)

Should a physician place a son of fifteen years in a plague hospital, expecting, nay, certain that he would incur the disease, and that he would propagate it to innumerable others—that he might show his skill in combating it, would not language fail in characterizing the deed? Or, if this illustration be deemed inapt by leaving out the power of choice, substitute the case of a father who should place his daughter of seventeen years in a court where he knew that she would be surrounded by the most cunning courtiers, expert in seductive flatteries, who should beguile, bewilder, and seduce the innocence of the child who had no experience of danger, or example, or friend, and who should fall, become the mother of immodest children in endless succession; would such a cruel experiment be creditable or excusable because he meant to set up afterward remedial influence?

But the most astounding part of this account of creation is, that God, when he had created innocence and inexperience, permitted it to be debauched, and went on to transmit to the whole human race, through all time, the degradation, sin, and suffering of these divinely destroyed experimentalists of Eden.

It appears then, that the earth was a vast machine for the manufacturing of corruption; that God himself planned that corruption; that instead of stanching the evil at its outbreak, he devoted the earth to the production of corruption. It appears, also, that the sin which they did not commit was imputed to all the myriads of human beings born ages after the sin was committed, and that the penalty upon Adam's sin was the total derangement of every human faculty; so that men could not be obedient, but, as a part of the Divine will and arrangement, were created not only unable to do good, but by the whole force of God's decree made *opposite to all good* and *wholly inclined to all evil.* This we are taught has been the business of God for ten thousand years—to produce infinite sin and suffering.

Even this is but the beginning of that theory of creation and God's design in it, which theologians dread to have swept away by the revelations of science. It appears that, before a step was taken in this mighty tragedy, there was a distinct purpose, in God, that this world should produce innumerable wretched souls, whose sin resulted from the conditions of their creation, for whom no remedy was attempted, who were made with the distinct and avowed purpose of furnishing material for another and after world, designed and built for the purpose of torment endless, increasing forever!

"By the decree of God, for the manifestation of his glory, some men and angels are predestinated unto everlasting life, and others foreordained to everlasting death. These angels and men, thus predestinated and foreordained, are *particularly and unchangeably designed*, and their number is so certain and definite that it cannot be either increased or diminished. Those of mankind that are predestined unto life, God, before the foundation of the world was laid, according to his eternal and immutable purpose, and the secret counsel and good pleasure of his will, hath chosen in Christ unto everlasting glory, out of his mere free grace and love, without any foresight of faith, or good works or perseverance in either of them, or any other thing in the creation, or conditions, or causes moving him thereto, and all to the praise of his glory. . . . The rest of mankind God was pleased, according to the unsearchable counsel of his own will, whereby he extendeth or withholdeth mercy as he pleaseth, for the glory of his sovereign power over his creatures to pass by, and to ordain them to dishonor and wrath, for their sin, to the praise of his glorious justice." (Chap. iii., secs. 3, 4, 5, 7.)

To one who employs a moral sense bred in the sweet spirit of Jesus Christ, this extraordinary representation of the divine nature, and of the plan of creation, seems like an unreal dream. Yet, it represents the work of good men, of heroic men, in an obscure age, when absolute monarchy furnished the ideal of God, and when the citizen had no rights which the king was bound to respect. From such a mediæval horror all Christian men should fly toward the rising revelation in science, of God's true work in creation, with thanksgiving and gladness.

This doctrine of the Fall of Man in Adam is not, as may be imagined, an extreme and antiquated notion. It is fundamental to the whole orthodox theology of the world. The system could not stand a moment if it be exploded. It may be summarily said to be the working theory of the Christian Theology, as much to-day as it was five hundred years ago. Every man entering the ministry of the Presbyterian Church is obliged to swear to hold and to teach it. There is no difference in that respect between the Catholic and the Protestant creeds.

Within the memory of this generation these hideous doctrines were preached widely and vigorously. The outburst of indignation with which they were received was regarded as proof that man's unregenerate heart was at enmity with God. They may still be preached, but no longer with commanding sovereignty, but apologetically. They defend rather than assert themselves. But, in the main, this view lies silent in the pulpit like a corpse in a sepulcher. Here and there a good deacon remembers when such sound

doctrine was set triumphantly forth, to the confusion of heretics and infidels, and longs to hear again the refreshing sound. But the new generation, whether of clergy or laity, will not worship it. Yet it is to-day the only exposition, clear and thorough, of what the Church has to say as to the origin of man and the method of creation.

Not only is the method of creation thus disfigured, but over against it has been erected a scheme of reparation and redemption, if not so shocking, yet equally fictitious and delusive, and destined to give place to a nobler view of divine nature and of Providence, and of the divine thought of the redemption and elevation of mankind.

The tendency of recent scientific researches and disclosures respecting the mind of man, and his origin and nature, will be far more pronounced upon the theories of *theology* than upon the *institutions* of religion. Christian churches are legitimate organizations for the development of religious emotion and for the application of truth to our daily life. Those churches which are organized for *devotion* will be less disturbed than academical churches which have hitherto aimed only to expound and defend a creed. But, churches whose genius it is to develop religious thought, as distinguished from religious emotion, will gradually change, and the devotional element will take the place largely of the theologic, and the ethical the place of the philosophical.

When the creeds of the past era have passed away we shall enter upon the creeds of a new era. These will differ not alone in their contents from former doctrinal standards, but they will differ in the very genius and method of construction. Our reigning creeds begin with God, with moral government, with the scheme of the universe, with the great, invisible realm beyond. These are the weakest places in a creed, because the matters they contain are least within the reach of human reason, and because the alleged revelations from God upon them are the most scanty and uncertain. The creeds of the future will begin where the old ones ended: upon the nature of man, his condition on earth, his social duties and civil obligations, the development of his reason, his spiritual nature, its range, possibilities, education—the doctrine of the human reason, of the emotions, of the will—man as an individual, man social and collective; and from a sound knowledge of the nature of mind, developed within the scope of our experience and observation,

we shall deduce conceptions of the great mind—the God idealized from our best ascertainments—in the sphere within which our faculties were created to act with certainty of knowledge. Our creeds will ascend from the known to the unknown, which is the true law and method of acquiring knowledge. Hitherto they have expended their chief force upon that which is but dimly known.

The great fear of the pulpit, that morality will destroy spirituality, that to preach earthly duties will destroy communion with God, ecstatic visions and the forms of transcendent devotional experience, will have no necessary realization. Morality is the indispensable ground of spiritual fervor. "Blessed are the pure in heart; *they* shall see God." The root working in the soil is mother of the white flower shining in the air. An elevated morality blossoms into spirituality. An eminent spirituality sends down the elaborated sap to every leaf, fiber and root that helped to create it. Already the work is done.

Between the heaven and the earth there stands God in human form, a man of such purity, wisdom, beneficence, that men believe that he came from above to translate heavenly life and love into earthly conditions. Superior to his own age, he has found no rival. If one was needed to teach men how to think of God, how to understand his goodness, his meanings, the genius of God's life and disposition, was not Jesus the very one? What power without ostentation! What insight into the soul's most subtle secrets! His very obscurity was as of one whose head was above the clouds. How much He thought of men, and how little of all the things after which the whole world rushed! What rigor of ideal purity! What pity for those who fell short of it! Crowns and kingdoms, and dynastic eminence could not represent (?) such a one. While ages have quarrelled, debating the evidences of divinity from the mechanical arrangements of dynastic power, the true tests of godliness have been neglected. To prove His divinity, men have trod down every vestige of evidence. They have despised men, hated and slain, convulsed kingdoms, soaked the earth with blood, and filled the sanctuary with infernal passions, in fierce argument to prove that Christ might be deemed divine! The signs and proof of divinity must be looked for in the soul. Love is royal. God is Love. Greater love hath no man than that he lay down his life for his friends. Jesus did it for love, and is forever King in the Realm of Love.

Is such a name to die? Will the world, when science shall have revealed all its secrets, find anything else so precious, so needful for hope, for comfort, as this great soul that stood between men and God, to teach them the way to God?

The future is not in danger from the revelations of science. Science is truth; Truth loves the truth. Changes must come and old things must pass away, but no tree sheds its leaf until it has rolled up a bud at its axil for the next summer.

Navigation does not cease when correct charts supersede faulty ones; nor husbandry, when invention supplies new implements superseding old ones; nor manufacturing, when chemistry improves texture and color; nor governments, when Reform sweeps away bad ones and exalts the better. Religion is not destroyed because a new philosophy of religion takes precedence of the old. Positive faith may stagger while old things are passing away. To give a rambling vine a new support, men prune back its long and leafless stems; but the root is vital. New growths spring with vigor. Our time is one of transition. We are refusing the theology of Absolute Monarchy—of Divine Despotism, and framing a theology consistent with the life and teachings of Jesus Christ.

HENRY WARD BEECHER.

THE ORGANIZATION OF LABOR.

It is a difficult thing for two men occupying different positions and moving in separate spheres in life to view an object and pass the same opinion upon its merits; it is, therefore, no wonder that so many conflicting opinions exist regarding the present conditions of capital and labor. It is the opinion of a great many, honestly entertained no doubt, that the men and women who labor do so under protest, and that they only await an opportunity to seize the men who employ labor by the throat and despoil them of their possessions. On the other hand, the laborer often regards the man who employs him as an enemy, who barely allows him to exist that he may reap profit from his toil. Both of these opinions prevail to-day; they are but the results of the present system of settling disputes between capital and labor. Some men say that the interests of capital and labor are identical; but it is evident that the majority of those most interested do not think so, or else these opinions would not prevail. What is regarded as a war between capital and labor is but a lack of confidence in each other. Did each of these interests give a thought to the condition or welfare of the other, two-thirds of the grievances we hear of would never exist. So long as it pays one man to buy labor at a low figure, and the man who sells his labor wishes to get as high a price for it as possible, it will be a difficult task to convince them that their interests are identical; and, viewing the question from that stand-point they are not identical. Men having capital, the product of labor, to invest, form themselves into companies or associations, and consolidate their capital that they may reap a greater profit from their investments. They believe that in union there is strength, and that by combination they can best protect their interests. The men who labor, taking this action of the men of capital as a criterion to go by, have formed themselves into companies or associations that they

may reap a greater profit from the investment of their capital, which is labor. The capital of the former is the creation of man; that of the latter is the creation of God, and of the two it is entitled to the most consideration, since no capital could exist unless labor created it. But labor is regarded as a secondary consideration; and that it may have a full, just share of the values or capital it has created, working-men have banded together in different associations and under different names, such as the "Machinists' and Blacksmiths' Union," the carpenters', molders', masons', bricklayers', tailors', hatters', and shoemakers' unions, each craft having its own organization. The history of the trade union reaches too far back, and would take too much time and space to discuss here. "The policy of the trade union, and strikes," is what I am asked to explain. The policy of the trade union is to protect its members against the encroachments of unjust employers. Individually, workingmen are weak, and, when separated, each one follows a different course, without accomplishing any thing for himself or his fellow-man; but when combined in one common bond of brotherhood, they become as the cable, each strand of which, though weak and insignificant enough in itself, is assisted and strengthened by being joined with others, and the work that one could not perform alone is easily accomplished by a combination of strands. Each of these unions sought to regulate affairs pertaining to its particular branch of trade, but the principal object of the trade union was to regulate the number of apprentices, the rate of wages, the number of working hours, and to assist each other in sickness or misfortune.

Some of these unions have been successful in the attempt to regulate the number of apprentices, but the greater portion of them have failed. The rapid introduction of labor-saving machinery has made it possible for one man or a boy to perform more labor in some trades in a day, than one hundred men could in the same length of time a century ago. The mechanic who has served from three to seven years of an apprenticeship finds, in a great many instances, that as soon as he becomes a journeyman his services are no longer required. He can only at rare intervals obtain employment where he can make any use of the particular part of the trade he has learned. Years ago, the man who learned the machinist trade was required to run the lathe and drill press, to work at the vise and "upon the floor" as well. To-day this trade has many subdivisions: one man runs

the lathe, another a drill press, while the planing and slotting machines can accomplish more in a day, in the way of smoothing off the rough surfaces of the metals, than the machinist with his hammer, chisel and file can in a week, or a month. What has been said of the machinist trade is true of a great many other trades. It is, therefore, of little avail to attempt to regulate the number of apprentices, when the mechanic who has served years at his business often finds himself of less consequence than a patent machine.

The principal business of the trade union, of late years, has been to relieve the distress of sick or disabled members, and to try and secure a fair day's wages for a fair day's work. In the multifarious branches of trade, capital has its combinations, and whether intended or not, they crush the manly hopes of labor, and attempt to trample poor humanity in the dust. To prevent this, the trade union has resorted to the strike. The only fault I have to find with the trade union of the past is that it rarely sought for any other remedy. Arbitration was seldom resorted to, and if the idea of coöperating with, or assisting any other union, was hinted at, the leader of the trade union issued the edict "Form no entangling alliances with those of other trades." I heard that order issued by the executive officer of the Brotherhood of Locomotive Engineers years ago. Soon after, a strike was inaugurated by that society, and the executive officer of the Machinists' and Blacksmiths' Union gave the command, "Man the foot-boards." The members of the last-mentioned union took the places of the men of the Brotherhood of Locomotive Engineers. It was not poverty or want that compelled them to do so, but revenge for a similar act practiced on them some time before by the other organization. I have seen men engaged in iron and steel works, whose duty it was to prepare the steel and iron for market; skilled in the art of heating the metals, they performed but little manual labor themselves. The heavy work was done by laborers; while the skilled workmen slept, these men were attending to their work for them; and though the skilled mechanics cleared from five to ten dollars a day, they grudgingly paid the laborer a dollar and twenty-five, or a dollar and fifty cents a day. The skilled workmen had a union, through the instrumentality of which they regulated the price of their labor; the unskilled workmen had no organization, and were forced to content themselves with what the others chose to give them.

But while the unskilled laborer toiled, he learned the art of managing the metals himself; and soon became as proficient in the business as his employer. He then offered to do the work for less money; a reduction of wages followed; a strike ensued; and that union disbanded. The trade unionist seldom looked beyond the limits of his own society for the cause of any thing, no matter what the effect might be. The Knights of St. Crispin, at one time a very powerful trade society, would scoff at the idea of amalgamating with, or coming to an understanding with the Coal Miners' Union. But when the work in the mine slacked off, or was cut down to half time, the Crispin was not required to manufacture so many pairs of boots and shoes, and he felt the effect of half time in the coal mine without knowing the cause—for the coal miners wear out a great many pairs of boots and shoes in the year.

The machinists and blacksmiths employed in the construction of locomotives paid but little attention to the laws of supply and demand, and, so long as they had steady employment, made no inquiries concerning the state of trade in other localities; but when an overproduction of coal glutted the market, and the owners of the mines struck against a reduction in the price of coal, by putting the mines under their control on half time, it did not require so many locomotives to draw the coal to market. The result was a suspension of a portion of the force employed in the construction of locomotives (this includes machinists, molders, pattern-makers, blacksmiths and carpenters). It soon became apparent to the trade unionist that the strike could not remedy this evil, and he began to look for a better means of securing steady employment at living wages.

While the leader of the trade union inveighed against the forming of "entangling alliances with those of other trades," his employer had formed alliances with other employers of labor, and when a strike took place, he knew where to look for men to take the places of the strikers. While the trade unionist was devising the best means of supporting his brethren on strike, his employer was interesting himself in having laws passed by the State legislatures which made it a penal offense to engage in a strike under certain conditions. The narrow-minded policy that forbade entangling alliances with those of other trades also discouraged any attempt on the part of working-men to interfere with politics. The leader of the trade union, honest enough

in his convictions, no doubt, looked upon politics as a trade which rascals alone should learn. The result was that not a few rascals found their way into our State and national legislatures, and we find the statute books of the various States dotted here and there with laws framed wholly in the interest of capital—some of them for the prevention of strikes—while not a thought ever entered the heads of the able law-making statesmen about the causes which led to the strike. If the State has the right to enact laws for the protection of the capital of the rich man, it certainly has a right to make laws to protect the source of all capital—labor. In their haste and anxiety to please the capitalist our law-makers sometimes injure him as much as they do labor. In illustration of this I need cite but one act passed by the Pennsylvania Legislature. It became a law in 1877, and is entitled "An Act for the better protection of passengers upon railroads and to insure the prompt transportation and delivery of freights." Section one of that act reads:

"Be it enacted, etc., That if any locomotive engineer, or other railroad employé upon any railroad within this State, engaged in any strike or with a view to incite others to such strike, or in furtherance of any combination or preconcerted arrangement with any other person to bring about a strike, shall abandon the locomotive engine in his charge, when attached either to a passenger or freight train, at any place other than the destination of such train, or shall refuse or neglect to continue to discharge his duty, or to proceed with said train to the place of destination, as aforesaid, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred nor more than five hundred dollars, and may be imprisoned for a term not exceeding six months at the discretion of the court."

The other sections of the act follow in the same strain. If the members of the Pennsylvania Legislature were actuated by a sincere desire to afford better protection to the traveling public, they would not have framed so one-sided an act. As it reads, only the employés are required to look after the welfare of the passengers. The railroad companies may stop their trains at any time or for so long as they like, so far as that act is concerned. If the intention was to deal justly by capital and labor, they would have passed a law requiring of railroad companies to give, say five days' notice to their employés of any intent on their part to reduce wages, or of any change in the management of the road likely to bring on a strike, and also requiring employés

to give five days' notice of their unwillingness to continue to work after receiving such notice, and then fix a penalty for a refusal of either party to comply. Had that been done, it would have afforded ample protection to passengers. and would have secured the prompt transportation of freights. Then working-men would not have looked upon the law as the creation of corporate capital—which it really is. The principal effect of that law was to deprive the traveling public of the use of one hundred and twenty-eight locomotives, which were destroyed by the torch of the incendiary in the round-houses at Pittsburgh during the great strike of 1877, and to fasten an extra burden upon the industries of that city, in the shape of increased taxation, to pay for damages done to property during the troubles of that year.

A strike cannot change the apprentice system, a strike cannot remove unjust technicalities and delays in the administration of justice, a strike cannot regulate the laws of supply and demand; for if it cuts off the supply, it also cuts off the demand, by throwing consumers out of employment, thereby curtailing their purchasing powers. A strike cannot remove or repeal unjust laws, for at best the strike secures but a temporary relief; it may result in an advance of wages, but if so it is a dearly bought victory, and at the first available opportunity, another reduction is imposed. The strike is the weapon of force, and "who overcomes by force hath overcome but half his foe." If the men who willingly lose one, two, three or six months' time in a strike, would continue to work, and set apart the money thus spent for the purpose of creating a coöperative fund, and if the men who contribute to their support would set apart the money they advance for the purpose of adding it to that fund, they would soon amass a sum sufficient to erect factories or shops large enough to give employment to their idle brethren. But I fail to see any lasting good in a strike.

The cause of so many disputes between capital and labor lies in the present wage system. Take away the labor, and capital could not exist. If you remove capital, or any portion of it, labor can create more; it is, therefore, not so dependent on capital as capital is upon labor. No sane man would think of investing his capital in an enterprise, if he did not have the assurance that he could employ labor to carry on his business. Since they must operate together, they must assume the proportions of a partnership, in which one invests his money, the other his brain

and muscle. If working-men were admitted to the councils of the employers, and were accorded a percentage of the profits on their investment, and if more confidence existed between the two, then strikes would be of rare occurrence. The worker is as much interested in the success of his employer as he is himself. If, instead of endeavoring to reduce wages to the lowest possible figure, the employer would content himself with a reasonable share of the profits of his business, and would call his employés in and say: "We will operate the business of this concern together; all that we realize above a certain sum will be regarded as profit; I am entitled to a certain percentage of it, you are entitled to the remainder; when the market is falling our profits will not be so large; and you will at all times know how my business stands. It is to your interest to see that I prosper, and I will always accord to you the fullest confidence." If employers would look upon their employés as equals in the scale of moral worth, and treat them accordingly, there would be fewer grievances to record.

Men who found the trade union too narrow and contracted to suit their views find all they have sought for in the Knights of Labor, an organization founded in 1869, but which was kept profoundly secret until the beginning of the present year. One reason for keeping it so closely guarded was to shield its members from being discharged, as they were so often in the old trade union.

The seed, if not properly protected, is easily blown away or destroyed by the elements, but if sufficient care is taken to cover it in planting, it takes root and grows. The rain, wind, and sunshine, elements that would have destroyed it if it were left exposed, now contribute to give it life and strength. So it was with the Knights of Labor. Had that body been organized openly, public opinion and the opposition it would meet with from other labor societies, would have prevented its growth. But it was properly covered, it took root and grew all over the United States, and to-day it assists in molding public opinion itself, for it controls several of our leading journals and need no longer fear opposition. It teaches its members to think for themselves, and that a full understanding may be arrived at between employer and employé. The workman and the manufacturer may meet in the assembly and exchange ideas. Business men meet with working-men within its folds, where they discuss

their mutual relations. The organization has adopted the motto: "That is the most perfect government in which an injury to one is the concern of all." Members of isolated trade unions are becoming members of the Knights of Labor; men of all creeds, all nationalities, all occupations (except lawyers, bankers, stock gamblers, and idlers), are admitted. The idea is to "bring within the folds of the organization every department of productive industry, making knowledge a stand-point for action, and industrial and moral worth, not wealth, the true standard of individual and national greatness."

This association desires "the abrogation of all laws that do not bear *equally* upon capital and labor; the substitution of arbitration for strikes; the prohibition of child labor; to secure for both sexes equal pay for equal work; the reduction of the hours of labor to eight per day, so that the laborers may have more time for social enjoyment and intellectual improvement, and be enabled to reap the advantages conferred by the labor-saving machinery which their brains have created; to prevail upon governments to establish a purely national circulating medium, issued directly to the people, without the intervention of any system of banking corporations, which money shall be a legal tender in payment of all debts, public or private; the establishment of coöperative institutions, productive and distributive; the reserving of the public lands—the heritage of the people—for the actual settler. NOT ANOTHER ACRE FOR RAILROADS OR CORPORATIONS."

Other reforms are sought for by this organization, but these are among the principal ones. It will be observed that political action must be resorted to before we can carry out these schemes. This may lead to the supposition that the Knights of Labor is a political organization. In so far as it teaches its members that the evils they complain of are brought about by bad legislation, and that the remedy must come through wise, judicious legislation, it is political, but not partisan. Legislation, good or bad, affects the man who (with pick, shovel and crowbar) lays the rails, as well as the man who guides the engine over them, or the man who perfects the drawings for the engine. That they may take united action when necessary, is the reason for bringing them within the fold of one organization. I can hardly enumerate the principal advantages and benefits to be derived from such an association; politicians assert that there exists no necessity for an

organization where political questions are discussed. Until very lately, working-men entertained the same opinion, but necessity has taught them that, in order to compel politicians to perform their duty faithfully, the people must be educated up to a standard high enough to enable them to judge for themselves whether a law be passed in the interests of a class or for the public good. Labor, all its rights—capital, all its rights—no special laws or privileges for either, but "equal and exact justice for all."

T. V. POWDERLY.

THE UNITED STATES ARMY.

RETURNING from America to Europe last year, I happened to have for a fellow-passenger a German officer. "Ja wohl!" remarked this military servant of Kaiser Wilhelm, "it is truly a great country, this American Republic. I have seen its Congress, I have mounted high in an elevator, I have drunk beautiful lager beer, I have seen swine slaughtered by machinery, I have slept in the car of Pullman, I have voyaged in a river steamer grand as a palace, I have seen a torchlight procession three miles long. But, dear sir, in all this great country I have seen no army. Where is the garrison of New York? Where the garrison of Washington? Where the guard corps of this mighty nation, that sixteen years ago had some two millions of men under arms? Yes, I have seen not a few generals, and the country undoubtedly possesses numerous colonels; but where are its legions, where its masses of infantrymen, where its cuirassiers, its uhlans, its hussars? Why, there was not so much as a solitary sentry on the Schloss of the President!"

The surprise of the Prussian Hauptmann was not to be wondered at. Of no nation which maintains a standing army are the troops so little *en evidence* as are those of the United States. Probably two-thirds of the population of the republic never saw so much of its army as a company of line infantry. The Hauptmann's comments occasioned me to overhaul my own experiences. I had spent a whole winter in the United States, and traveled over two-thirds of them; but I could not remember that during that time I had seen a corporal's guard of the regular army. At the capital, it is true, there had been imposing evidence that the republic really does own an army. The lodging of no war department in the world can compare for spacious splendor with that palace over against the White House, in which the American Secretary of War and the American General of the Army have

their official head-quarters. If, indeed, military bureaux were to be accepted as a display of military strength, it could be in the mouth of no visitor to Washington to aver that he had seen nothing of the American army. There is a district of that beautiful metropolis in which it seems that almost every second building is occupied by some branch or other of military or quasi-military administration. And if the number of civilian employés finding occupation (or salaries) in these various bureaux were to be taken as the criterion of the strength of the army in whose administration they are engaged, the assumption would be natural that the army of the United States is as the sands of the sea-shore for multitude. But Washington can show not even the ha'p'orth of army bread to all this quantity of administrative sack. The General of the Army nails a utilitarian sign on the basement of his private residence, indicating that his "office" is within, but no sentry promenades the pavement in front. If the divisional head-quarters are visited, there is found there scarcely more show of military formality. On Governor's Island General Hancock can, it is true, listen to the sounds of the bugle, and hear the report of the morning and evening gun; but the Chicago head-quarters of General Sheridan's command, that stretches from the Lakes to the Gulf and covers an area larger than the continent of Europe, are located in the rented second floor of a mercantile building. The superficial observer might carry away the impression that the American army bears a striking resemblance to the tadpole, in that it has a very big head and very little body, were he not in the course of his casual reading to come across the fact that its annual cost to the country amounts to some forty million dollars. He reflects that on an annual expenditure of only twelve and a half millions more, Germany maintains a standing army of 420,000 men, with the machinery for increasing that strength to a million within a single week; and the conclusion is forced upon him that there must be an American army somewhere, if only he can find it.

If the observer happens to be a Briton, there is for him a special interest in the discovery and study of the American army. It happens that the march of improvement in the art of killing has left the United States and Great Britain the only two countries of the civilized world whose standing armies are professional, in contradistinction to national armies. And there is this additional similarity, that the armies of these two countries are the only

armies of any important state of the civilized world, whose duties in the nature of things must be confined to defensive and police work, in contradistinction to that other *métier* of armies, aggression or reprisals directed against a foreign enemy, if that enemy have any claim to military respectability. I do not apprehend that Americans will make demur to this definition. That Indian warfare in which the American army is fitfully engaged is strictly within its limits; and even in the amusement with Mexico, a State that scarcely can claim military respectability, a volunteer force was employed. To my countrymen it may not be wholly palatable, but this circumstance does not affect its accuracy. An empire which (exclusive of the Indian establishment) has a standing army only one hundred and thirty thousand strong, of which a large proportion is absorbed in colonial duty and foreign garrison service from Halifax to Sydney, and from Gibraltar to Hong Kong, cannot in sanity adventure on land hostilities against any of the great military powers, that can put into the field divisions against that empire's regiments, army corps against its brigades. Britain may engage in important warfare, it is true, as an ally of one of the great military powers; but in doing so her attitude, in a numerical sense, must be that of a mere auxiliary, so long as she adheres to a professional, in contradistinction to a national army. It remains that, in essentials, the *rôle* of her army must mainly be police work on a large scale. Of this character in effect were her recent troubles in South Africa, both with the Zulus and the Transvaal Boers; and the manner of her disposal of these was scarcely such as to encourage in the most sanguine a belief of her ability to emerge with credit from more serious enterprises.

By far the larger proportion of the American army is on service westward of the Missouri River. The explorer in search of it will probably gravitate in the first instance to Fort Leavenworth, because that fort, standing as it does on the margin of the farther bank of the great river, is the readiest of access to the wayfarer from the east, and also because he will find there the head-quarters of one of the four departments that comprise the "Division of the Missouri." At Fort Leavenworth he will find a general officer in command, whose personal experiences have been widely varied, and whose accumulated wealth of information on military topics in the Far West is equaled only by his courteous readiness to communicate that information; he

will find also a school of instruction for officers that bids fair, as it develops—at present it is only in its first youth—to take rank as a staff college of a high order; and he will find, too, a military prison which will furnish the investigator—he being a Briton—with some curious material for comparison and contrast.

Since the rack and the knout were abolished, there is, perhaps, no more terrible institution in the world than a British military prison. Its spirit is relentlessly punitive. It makes pariahs of its entrants by the wanton cropping of their hair to the very bone. The "good" prisoner finds his only reward in exemption from prison punishment; the violator of the minutest rule of the complicated code of prison discipline expiates his offense in punishment with stern inevitability and inflexible severity. Labor that is ostentatiously useless, and therefore doubly irksome, is the somber alternative to yet more somber solitary confinement; the prison fare is meager and monotonous to a degree incredible on this side of the Atlantic. No good conduct avails the prisoner toward the mitigation of his sentence; he has to "dree his weird" to the last hour. And when release comes to him, unless his crime has been heinous enough to have earned him the consummation of dishonorable discharge from the army on the conclusion of his term of punishment, he goes back into the ranks, it may be inspired with so wholesome a horror of the military prison that he vows never again to incur the risk of entering its gloomy portals; but more often with a sullen desperation, increased in most cases by the hopeless burden of debt curtailing his pay, that makes him worthless as a soldier, and that prompts him to no matter what recklessness of effort to break the hated bonds that hold him to military service.

Had Fort Leavenworth military prison been designed as a contrast to this picture, the radical differences between it and a British military prison could not be stronger. Before its portals are reached, the prisoner destined for it has generally ceased to be a soldier. Adjudicated to be not worth keeping in the army, and for the sake, too, of simplifying the company books, he has been written off his regiment as "dishonorably discharged," before he comes under the surveillance of Major Blunt. Once inside the prison, his hair is left unto him, and he is assigned quarters in an airy barrack-room, far more comfortable than the tent or adobe hut which, as likely as not, he had been occupying

when with his company. Here he has his bed from the first night, and the liberty of unrestrained conversation with his fellow-prisoners. His food is the liberal ration issued to the American soldier, better indeed than the ration which the latter eats in remote stations, and supplemented in season by the produce of the prison garden tilled by the prisoners themselves. He eats this food in the company of his fellows, in a spacious dining-hall, equipped in a fashion so civilized as would shame a British barrack-room. The labor to which he is put is some handicraft, the practice of which meanwhile has a rational interest for him, and the conversance with which, acquired in prison, may furnish him with an honest livelihood when again he shall be a free man. He is treated in every way as a rational being, rather than, as is the case with a British military prisoner, as a dog that has misbehaved and that is ever watching for a chance to misbehave again. He is allowed an individual freedom of action that is simply startling to the British observer of him; said freedom of action complicated only by the outer wall and by the bullets in the rifles of the prison guard. Occasionally, although rarely, he "plays the fool," and declares that he will work no more. Still he is treated, not as the misbehaving dog, but as the normally rational being suffering under a temporary aberration. He is brought into the presence of the Governor, who "has a talk with him," pointing out to him the folly of his conduct, and the consequences thereof. Save in exceptional instances, this expedient restores him to reason; if it does not, a course of dark cell and bread and water produces the result; and he returns to the shoemaker's shop or the smithy a wiser and probably a better man. By good conduct he can shorten considerably his term of confinement. When that expires, he goes out into the world, supplied with a suit of decent clothes—for it is held cruelty to stamp him with a convict brand—the possessor of a small sum of money, and of a railway warrant for his conveyance to the place of his enlistment. Yet further to mark his rehabilitation, if his prison conduct has been exemplary, he receives a certificate that entitles him to reënlist in the army, if he should have the inclination so to do.

Now, I have no wish or intention to contrast the American treatment of the military prisoner with the British treatment of him, in a sense unfavorable to the latter. "Different nations, different treatment"—that is all the length I care to go. Were

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I to argue for the adoption of the American system in the British prison, there would confront me the conclusive reply, that such adoption would convert the British military prison into a paradise to which half the army would aspire, and the joys of which, once tasted, would be relinquished with reluctance, and pantingly striven for again. That this would be but too true, I am sadly conscious, because I know that there are men in the British army who prefer even a British military prison, to the performance of their duty in the ranks. But it by no means follows, because the treatment of Fort Leavenworth would be a paradise to a large proportion of the British rank and file, that it is other than a severe punishment to the misdemeanants of the American army. So far as my discernment goes, the spirit of the people of this republic has this characteristic, that simple deprivation of liberty is to all, except debased habitual criminals, so hard a punishment in itself, that severer inflictions engrafted thereon would simply be wanton refinements of cruelty. In this view Fort Leavenworth prison is no elysium to the soldier of the American army; and that that is true is confirmed by the fact that few candidates for its joys present themselves a second time, and that these few are almost invariably foreigners.

Paradoxes are the stumbling-block of the inquirer; and Fort Leavenworth prison throws in his path a formidable paradox, or rather, indeed, a whole handful of paradoxes. I have tried to explain why it is no elysium to the soldier of the American army; but, notwithstanding, I found it full. It holds close on five hundred prisoners; its walls inclose over two per cent. of the actual enlisted strength of the American army. How comes this about? The soldier must know that in committing military crime he risks the hated doom of suspension of liberty within the walls of Fort Leavenworth. Is there, then, in the American army any great proportion of reckless perpetrators of military crime? The reply comes that no army in the world exhibits greater subordination, greater habitual temperance, more intelligent discipline, a greater absence, in fine, of all military crime, save, always, crime of one specific complexion. Of the five hundred inmates of Fort Leavenworth, nine-tenths, roughly speaking, are recaptured deserters. Small as is the authorized strength of the American army, it is always below that strength, partly because of paucity of recruits, partly because of desertions. One com-

pany commander out in New Mexico told me he lost twelve men by desertion in three months; a maintenance of which rate for eight months longer would have wiped his company clean out of existence, but for reënforcement by recruits. The five hundred inmates of Fort Leavenworth are only a feeble proportion of the grand total of deserters. They are but the unlucky ones who get caught, and, as the American soldier who deserts does not propose to get caught if he can help it, his recapture is rather the exception than otherwise.

"Plenty to do and little to get," was Mr. Sam Weller's depreciatory summary of the character of his service at the "White Hart." The definition is a succinct explanation of the cause for a great deal of the desertion which prevails in the British army. Is it applicable to the lot of the American soldier? Do men hold back from the American army, do men desert from it in surprising numbers, and do men who have not deserted quit it, for the most part, on the expiration of one term of service, because its advantages are inadequate and its conditions severe? Let us go into the matter.

The pay of the American soldier is thirteen dollars a month at the outset, fourteen dollars in his third year of service, fifteen in his fourth, and sixteen in his fifth. His ration, to the foreigner, is startling in its fullness and variety, with its "twelve ounces pork or bacon, or one and a quarter pounds salt or fresh beef, one pound six ounces soft bread or flour, or one pound hard bread, or one and a quarter pounds corn meal; and to each one hundred rations, fifteen pounds beans or peas, and ten pounds rice, ten pounds green coffee, or six pounds roasted and ground coffee, or one pound eight ounces tea, fifteen pounds sugar, four quarts vinegar, one and a quarter pounds candles, four pounds soap, three and three-quarter pounds salt, four ounces pepper, thirty pounds potatoes, one quart molasses." There is "working pay" for him to earn, at the rate of twenty-five cents a day for unskilled, fifty cents a day for skilled labor. He enlists for the moderate term of five years; so that if he dislikes the service, his release is in the not far-off future. When, after that term, he is discharged without discredit, he stands entitled to one hundred and sixty acres of Government land, which holding becomes his absolute property on a residence thereon for one year. Nor need he be destitute of adequate capital wherewith to enter on his farm. There has been placed to his credit the money

value of what proportion of the regulation issue of military clothing his exercise of moderate care has absolved him from requiring, amounting, in his five years' service, to from one hundred to one hundred and sixty dollars. Inclusive of this, without hardship, he can have accumulated savings amounting to some six hundred dollars, a sum amply sufficient to stock his gratuitously acquired farm, to which, or to the place of his enlistment, he receives free transportation. If, again, he elects to make the army his profession, he may reënlist for successive terms of five years, while his physique holds good, receiving the pay of eighteen dollars a month from his first reënlistment. He may become a non-commissioned officer, with a maximum of twenty-seven dollars a month pay in the line, of thirty-nine dollars in the engineers, ordnance and signal corps. And if he aspire to commissioned rank, there is nothing utopian in such hope. "Meritorious non-commissioned officers," say the regulations, constitute one of the three sources from which commissioned officers are drawn. The "enlisted man" of the American army may attain any rank in that arm. The present Adjutant-General began his military career in this capacity, earning his promotion therefrom by gallantry in the Mexican war. It is the common belief in Europe that all officers of the American regular army are graduates of West Point; but this is quite an error. Take the cavalry arm, containing four hundred and thirty-two officers. Of this number, thirty-eight have been enlisted men, commissioned directly from the lower ranks of the regular army. But this in nowise represents the proportion of officers who have begun their military career as "enlisted men." Eighty first joined the army as private soldiers of volunteer regiments employed during the civil war. Thus of the four hundred and thirty-two cavalry officers in the American army, there are no fewer than one hundred and eighteen "rankers," as officers who have risen from the ranks are called in the British army. These American "rankers" do not people the lower grades, as is mostly the case with the British "ranker." There are one lieutenant-colonel, five majors, one chaplain, seventy-two captains, and thirty-nine lieutenants. And it must be noted that in the American cavalry there are no riding masters, who, in the British cavalry, are invariably "rankers," while all of the adjutants and quartermasters in the American cavalry commenced their military career as commissioned officers, in contradistinction to the

British custom of filling these appointments with officers promoted from the ranks. Thus the "ranker" officerhood of the American cavalry is swelled not at all by reason of promotion from the ranks to appointments, to fill which, in the British cavalry, quite three-fourths of the promotions of this description are made.

No army in the world presents to its soldiers advantages and opportunities comparable to these which I have set forth. The British army, like the American, goes into the open market for its recruits; but it bids much lower. The British private has his shilling a day nominally, besides his meager ration of three-quarters of a pound of meat, and one pound of bread; but he has to submit to deduction to supplement the inadequate ration, and for other purposes he has some further pence of good service pay when he earns the same. As a non-commissioned officer he can attain a maximum pay of about one dollar a day. And, excluding young gentlemen who of late have somewhat made a practice of using the ranks as a stepping-stone to a commission obtained by interest, he can attain commissioned rank in perhaps about one-quarter the proportion that obtains in the American army. Of the comparative advantages of commissioned rank in the two services, I shall speak presently. When he leaves the colors, the British soldier completes his term of enlistment in the reserve, receiving sixpence a day, and continuing liable to be called up for service on certain contingencies. It may be questioned whether his advantages as a reserve man are not fully set off by his obligations; anyhow his sixpence a day, with liability to active service, both lasting for a few years, cannot be put in the balance with the fee-simple of one hundred and sixty acres of free land, and freedom to till the same exempt from any military obligation whatsoever. The British private is yet to be found, who goes out into the world after one term of service with a hundred dollars in his pocket saved from his pay. If allowed to reënlist, and permission to reënlist is special, he receives twopence a day more than in his first term. I think I have set forth his advantages, if curtly, at least fairly.

The British soldier deserts with considerable, and often indeed embarrassing freedom; and this for various reasons. Many men are professional deserters; others chafe under the discipline, which is undoubtedly firm; yet others desert with deliberate intent to better themselves; and others again from *ennui* of the

service, or because they think they cannot be worse off, and don't much care if they be. But why does the American soldier desert, when his advantages are so good? Seldom, I imagine, from sheer reckless devilry. In many cases, it is told to me that he enlists, simply to obtain transportation to the west, where he sees his chances as a civilian, and a civilian he becomes by the simple process of deserting. Again, the military posts out west are mostly in the vicinity of mining regions, where the temptation to be free to make fine earnings is rampant. No doubt the monotonous routine of military service chafes somewhat on the impulsive American nature, which prompts to change and motion. And again a plodding, moderate certainty does not commend itself greatly to the idiosyncrasy of the American, who emphatically craves to be "taking his chances"; and burns ever for a speculation, even should the basis of the speculation be, as it is with the deserter, a shrewd risk of Fort Leavenworth prison. It may be assumed also, that it is this reluctance on the part of the American to content himself on a certainty (unless, indeed, that certainty be the salary of a political appointment,) which deters recruits from crowding forward to grasp the unquestionable advantages of a spell of soldiering, and which impels so many soldiers to be satisfied with one term of enlistment. Foreigners are more fain to offer as recruits. Englishmen join the American army in considerable numbers, but by no means invariably of the right stamp. Men who have been deserters will be deserters again, and the ex-British soldier sighs for the once-accustomed racket of the garrison town; so that, if he does not desert, he rarely reënlists. The Germans come in increasing numbers, and are proner than men of any other nationality to make a career of the American army. The old-fashioned Irish sergeant reported to have been once common, who had learned his duty in the British army, and who was a model non-commissioned officer, firm, self-respecting, narrow, opinionative, is said to have now become rare.

Almost every saying that, because it seems apt, has become proverbial, involves a fallacy; and probably no dictum is more erroneous, in a sense, than the one which propounds that the British are not a military nation. There is a sense in which they are the most military of nations—and here occurs another paradox—because Napoleon was singularly correct when he called us "a nation of shop-keepers." The paradox reconciles itself in

that we deliberately trade!—and that, too, if I may venture on an Americanism, "for every cent it is worth," and a good deal more into the bargain—on our military prestige, as comprised in traditions, in records of glories, in contemporary deeds of prowess. Our authorities show a certain astuteness, and achieve a marked financial economy, by abstaining from attaching ordinary business advantages and attractions to the military profession. That profession in England simply spells starvation, so far as its monetary aspect is concerned. His rations, indeed, avert starvation from the private soldier; but the poverty of the wage effectually keeps out of the ranks men who seek in an employment something more than the mere potentiality of obtaining existence by it. The pay of the British officer is utterly inadequate to his maintenance in any fashion other than as a genteel, and therefore doubly unfortunate pauper. If, then, the military profession in Great Britain strove to commend itself to attention as does any other avocation,—simply because of intrinsic and substantial advantages to be obtained in and by its pursuit,—it would attract no man who should realize his possession of a capacity to do better for himself. In other words, it would gather the mere débris of the nation.

But the astuteness of the British authorities, for many generations, has been adroitly directed to the successful effort of throwing a glamour over this profession—to the task, in other words, of getting a professional army on the cheap. There are men yet in the British army who were cajoled into it by the prate of the recruiting sergeant about military glory. His drums and fifes used to wheedle the villagers, and his streamers and gay uniform dazzle the senses of the bumpkins. He is a thing of the past, but his spirit still lingers. The spirit of martial buncombe still interpenetrates the British army, humbugging the nation into overlooking its hollowness as a rational industrial vocation. Each regiment has its colors blazoned with bygone victories, to the achievement of which it may or may not have contributed; recent campaigns, indeed, not being fruitful in victories of moment, have furnished additions to the bead-rolls on the silk in the shape of skirmishes, the casualties in which have been as petty as the results. Regiments are localized in name and home-station with intent to profit by the sentimental "county feeling" of the simple yokel; and many are dubbed with familiar nicknames, the martial associations cunningly

wreathed into which are calculated to tempt into their ranks vagrant votaries of the great god Mars, taken on trust. Medals are lavishly issued for campaigns in comparison with which a cowboys' vendetta, or the Texan raid into New Mexico, may come within the category of momentous wars. The Victoria Cross—a demoralizing distinction instituted to reward men for performing acts that ought to lie within their simple duty apart from the stimulus of any guerdon—is bestowed in a hap-hazard, dramatic fashion that inevitably lends itself to debasing intrigue and occasionally to a burlesque anti-climax, as in a recent instance of its bestowal on a parson for dragging some horses out of a ditch. But all the same, the Victoria Cross is not the least alluring of the baits thrown into the water to disguise the intrinsic poverty of the British military feeding-ground. Into the same category comes the copious flush of decorations scattered broadcast after every petty campaign; the substantial promotions and the inundation of brevets, which latter, unlike those of the American army, carry their relative army rank, although they do not affect intra-regimental position. Britain rings and thrills at a paltry success achieved by her scientifically armed troops over a gang of jingal-bearing or assegai-throwing savages, with considerably more effusion than Germany displayed on the news of Bourbaki's discomfiture, or Russia manifested when she heard how Gourko thrashed Mehemet Ali Pasha into the Rhodope Mountains. If Britain glorifies herself exceedingly on a successful skirmish of the character indicated, such is her military spirit under the judicious fostering of the authorities, that she esteems a reverse scarcely less glorious than a victory. She contrived to winnow some martial prestige out of the massacre of Isandula; after the first shock she preened herself complacently over some mitigating circumstances in the discreditable fiasco of Kuski-na-Kund, and she has smiled encouragingly on the efforts of one regiment to furbish up a spurious laurel out of the wretched rout of Majuba Hill. The head of the realm is wont to telegraph her unfaltering confidence in commander and commanded after a reverse, with as punctual monotony as she transmits her congratulations on a success. In fine, those who sway Britain and that Britain which is swayed by them, combine to exalt the military profession into the position of a profession *d'élite;* essaying to feed with sugar-plums men for whom the profession purveys very scanty fare of

any other description. To speak colloquially, Britain "runs" a professional army on what would be a dry crust, but that it is larded with empty honors and some social prestige.

The American army is run on a wholly opposite basis. The initial stand-point taken in regard to it seems to be that soldiering shall differ from no other calling in being a business-like, adequately remunerated avocation. How the lower ranks are paid has been already shown. A second lieutenant in the American infantry commences on an annual income of fourteen hundred dollars, increasing by ten per cent. annually, for each five years' service in the same grade, until an increase of forty per cent. has been reached. The corresponding pay in the British army is less than five hundred dollars a year — barely enough to pay the mess bill. A captain in the American army enjoys an income of two thousand dollars a year, increasing ten per cent. for each five years of service in that rank. Captain de Boots of Her Majesty's Plungers might contemplate with more indifference the shrinkage in the parental rent-roll could he find himself in possession of a professional income of four hundred pounds a year, increasing by quinquennial installments of forty pounds each. A colonel in the American service draws an annual revenue of three thousand five hundred dollars, rising by quinquennial installments to four thousand four hundred and eighty dollars. A major-general has seven thousand five hundred dollars. All these incomes are exclusive of quarters, fuel, and forage, on at least as liberal a scale as that in effect in the British army. The spirit pervading the pay-scale of the officerhood of the American army is that he who selects it as his profession shall have an adequate income on which to live, no matter what his rank, an income yielded by his profession reasonably on a par with the professional incomes of other callings throughout the republic; whereas the key-note to the English scale is that private resources must supplement the inadequate professional pittance. There is no reason why the American officer, even of the junior ranks, cannot effect savings from his pay. Indeed, it has been told to me on good authority that when on service west of the Missouri "he cannot help saving, unless he drinks or gambles."

Nor is the American army a profession out of which a man who becomes incompetent for service because of old age, wounds, or ill health, is thrust out into the cold world without provision. Its "retired pay" is unique in the liberality of it; and this sure

provision amply compensates for any inadequacy which may be apparent between the service pay and the incomes yielded by successful devotion to civilian avocations. The Railroad King or the Wall street man may wax, but he may also wane; in this country of uncertainties the millionaire of yesterday may be penniless to-morrow, and the next day in the poor-house or the gutter. The officer on service, with his moderate but adequate pay, as stable as the republic itself, need blanch under no financial vicissitudes. He may look forward without a quake for him or his, to broken health or to the evening of his life. A second lieutenant, invalided already during the first five years of his service, receives as "retired pay" for the rest of his life $1,050 a year. A major, in similar conditions, receives a life pension of $2,250 a year; if he has "put in" twenty years' service in that grade, his pension is $3,000 a year. I do not ask the British boy-subaltern, his health permanently shattered by a campaign in Ashantee or Afghanistan, to fancy himself the life-possessor of a pension of £210 a year; or the grizzled major, worn out by long and hard soldiering, to conceive his retirement on the comfortable income of £600 a year. Imagination can undergo only a certain strain. But what for the British officer would be an inconceivable chimera, is for the American officer a pleasant, matter-of-fact reality. Uncle Sam is chary of hollow honors; he has not his hands full of twopenny-halfpenny medals and obsolete crosses, to fling as dust into the eyes of his sons; but he pays them fairly while they serve him, and he retires them to decent and self-respecting competency.

But if Uncle Sam is a good paymaster, he in nowise believes in throwing his money away. He will have his fair day's work for his fair day's wage. And he keeps only hands enough to do that work, so that the American army is not cumbered by a throng of idle generals, incompetent for command, yet crowding the roster for promotion; and of half-pay officers, who do not care for or who cannot find employment. He employs no more hands than he can utilize; and when a man is no more fit for work he has to accept his retirement, with its decorous allowance. He considers that he pays a man well enough to do his duty; he holds that that duty includes the best and fullest the man can do. Therefore, he holds forth to him no store of honors and lavish advancement as the reward for the duty-doing; and if he fails therein, he gets scant indulgence. Uncle Sam does not spend

much time in inventing excuses for short-comings. His axiom is a roughly practical one—"Merit and success are synonymous; failure spells incompetence." In all this he differs utterly from his cousin, Dame Britannia. Her army is not a business profession; and so she cannot deal with it on business principles. She must stand by her failures; she must not own to herself that they are failures; she must bolster them up with a quaint, stolid, almost pathetic constancy, although the world laughs at her and them. The story of the Crimean war is studded thick with failures who were left unbeheaded because of unbusiness-like tenderness for men belonging to a profession which is not conducted on business-like principles. Sir Richard England, the hero of the arm-chair in the Hykulzie Pass, the passive recipient from the gallant Nott of taunts that might have stung an æsthetic apostle into manliness, lived to command and to bedevil a division before Sevastopol. On Lord Chelmsford rested the responsibility of the mismanagement that resulted in the catastrophe of Isandula, and that officer owned his incompetence to undertake the responsibility of subsequent operations and prayed to be relieved therefrom; but even such an appeal as this was overruled and he was retained in command to prolong and leave unfinished a business of which his incapacity is the most abiding memory. Contrast such things with certain episodes of the American civil war. McClellan indeed got a long rope; but how short was the rope accorded to Pope, who came east with a meritorious record earned in the west, and against whose chances of success before Washington a concourse of circumstances combined. A single battle, which was simply not a success, sufficed to roll Hooker's head in the saw-dust. The history of that war is strewn with a litter of commanders who ceased to command for the simple reason that they did not succeed. Again, command to a British officer, whether he achieves failure or success, invariably results in something advantageous. He is never disgraced; he frequently is promoted; he always is decorated. England became a K. C. B. and got a division; Chelmsford was made a G. C. B., and his friends were chagrined that he was not made a lieutenant-general; Peacock, who marched three miles in as many months, was made a C. M. G., rather a feeble testimonial of merit, and nevertheless a compliment. Pope I find to-day a brigadier-general in substantive rank; he was a major-general by brevet twenty years

ago. Meade, who won Gettysburg, the most momentous battle of modern times, and who technically commanded the Army of the Potomac when Lee surrendered to it, died a major-general. Compare with Meade's scantiness of reward, and with Hancock's simple major-general's command of to-day, the honors heaped on Sir Garnet Wolseley for the Ashantee expedition — a creditable affair, doubtless, but *pace* the British Lion, scarcely comparable with Gettysburg. Three men of all the chiefs engaged in the American civil war have attained exceptional, two, previously unexampled, honors; with these exceptions, and with three others, (the existing major-generals who hold to-day the rank they then held) all others still in service are occupying positions of marked military inferiority to those they filled nearly a score of years ago. Warren and Parke were corps commanders in the war; to-day they are doing duty as lieutenant-colonels of engineers. Gilmore nineteen years ago was in independent command, with the rank of major-general, of operations against Charleston; and the reduction of Fort Wagner, Morris Island and Sumter, ranks in intrinsic magnitude above any military operation in which Great Britain has been engaged since the Crimean War, if Lucknow and Delhi be excepted; yet Gilmore to-day is serving as a lieutenant-colonel of engineers.

P. St. George Cook entered the American army in 1827. He saw service in Mexico during the civil war, and on the Plains against the Indians, and he earned the rank of brevet major-general. This veteran joined the retired list in 1873, after a service of over forty-five years, and the grade on which he retired was that of a brigadier-general. Had he been a British officer, he would ere now have survived into the rank of field-marshal. William C. Bartlett appears in the "Army Register" as a lieutenant in the Third Infantry; his brevet as brigadier-general of Volunteers is dated seventeen years ago. Such curiosities, from a British view-point, as these, were brought about by the return to a peace footing after the great war. But no return of a British army to a peace footing would ever have brought general officers back to regimental service. They would have retired, or hung around on half-pay waiting to be absorbed. Sir Evelyn Wood had only local rank as a general officer until the other day; but after Kambula he never would have been relegated to the command of the Ninetieth Infantry.

An English reader may object that the American instances

just cited spring out of an exceptional and unparalleled event. But the present has its instances in support of my contrast, equally with the past. America sent as its military attaché to the Russian army for the campaign of '77–'78, a young engineer lieutenant. That officer had to struggle against the disadvantages incident to the inferiority of his rank. But he did honor to his country and its army by writing the standard history of the Russo-Turkish war, a work of so great merit that the Russian general staff has adopted it as an obligatory study for its aspirants—a work that has become the text-book of that war to every student of the art military. To-day this officer is plodding along in the rank he held before the American subaltern took rank among the military historians of the world. The Russian Emperor had conferred on him not a few medals and decorations, some in appreciation of his knowledge of his profession, others in compliment to that personal courage of which his constant presence in the forefront of operations was fruitful in occasions for the proof. But these, in its austerity, the nation through its Congress has denied him the privilege of wearing. England also had a military attaché with the Russians—an officer whose rank was that of captain and lieutenant-colonel in the Guards. He wrote no history of the war; but his services were rewarded with a full colonelcy in the army, overstepping one hundred and twenty seniors; an appointment as aid-de-camp to the Queen; the position of first secretary to the Vienna Embassy; and permission to wear the order conferred on him by the Russian Emperor. The Abyssinian expedition was almost exclusively an affair of commissariat, supplies, and transportation; a medal was granted for it, but the fighting done in it was infinitesimal. For his successful conduct of this operation a British general was made a peer; received a money grant, the thanks of Parliament, and other honors and rewards. The officer who in his capacity of quartermaster-general so organized and carried out the system of supplying the Federal armies throughout the whole of the civil war, that scarcity was only twice known and that plenty all but universally reigned, held that honorable and onerous position for twenty years with the rank of a brigadier-general; and when he retired the other day, had his major-general's brevet converted into substantive rank for retirement purposes, as an exceptional honor accorded only in recognition of a career so meritorious.

I have left myself scant space in which to speak of the equip-

ment of the American soldier for active service; and this is a part of the subject which is more suited for a professional journal than for a publication of general circulation. A few words of detail may be ventured on. At the first glance, an English cavalry officer, accustomed to the polish and trimness of his own command, might be excused for standing aghast in horror at the aspect of such a squadron of horsemen as that which I saw on parade at Camp Cumming, ready in every item for active service. The accouterments of Turkish Tcherkesses were scarcely dingier. What in the British army is known as "smartness," was here clearly no object. But, as the impression of slovenliness wore off, it became apparent that to the minutest detail everything was contrived for and subordinated to practical utility. The horses were stout, hard, active and wiry, accustomed to endure hardship, and to graze, and stand quiet when picketed. The saddles were of the McClellan pattern, light, saving of the horses' backs, and easy for the rider. The kit — carried in small, pendulous saddlebags slung behind the cantle—was cut down to actual necessaries, but no necessaries for sensible campaigning were lacking. The arms were essentially practical,— no saber, a Smith and Wesson revolver, a Hotchkiss magazine carbine (seven cartridges), sighted to fourteen hundred yards, and carried conveniently on the saddle. Ammunition for the carbine (sixty rounds), carried in a most useful and accessible waist-belt something like a bandolier; the revolver ammunition (thirty-six rounds), carried in a less satisfactory waist-belt that might usefully be replaced by breast-receptacles on the Circassian plan. Men, lean, wiry, tough-looking fellows, wearing clothes there could be no fear of spoiling, adepts by training in the rough border skirmish work that constitutes warfare in the "Territories," individually and collectively self-reliant. The average weight carried by horse (trooper and equipment in complete marching order prepared to take the trail right off the parade-ground) two hundred and twenty-five pounds — sixteen stone English — being about three stone less weight than that carried by the British troop-horse under similar conditions. The American cavalry formation is in "rank entire," on the parade-ground; on service in the comparatively rare experience of charging mounted, its formation was succinctly described to me as "devil take the hindmost"; but fighting with the Indians is almost invariably done dismounted. Supplies for thirteen days are carried on mules which accompany the column, reserves

following on wagons. In fine, a detachment of American cavalry on march might, to the European conversant with standing armies, bear a suspicious resemblance to banditti; but it is carefully equipped for the kind of service on which it is employed, and possesses a practical adaptability that would probably occasion some astonishment in another kind of warfare, on the part of more conventional cavalry fresh from the barrack-yard. To the infantry, *mutatis mutandis*, applies much that has been said of the cavalry. It marches light, unincumbered by knapsacks; it carries the ammunition purposefully in the waist-belt; it does not bother with the bayonet incumbrance. It is armed with the Springfield rifle, a strong-shooting, far-carrying weapon; it wears neither stock nor standing collar; it has the helmet for hot weather; and its boots are susceptible of improvement.

ARCHIBALD FORBES.

WOMAN'S WORK AND WOMAN'S WAGES.

One of the most subtle, most difficult questions of the day, is as to the present and future condition and position of working-women.

In the past, the wives and women of great kings like Solomon and Cæsar spun the wool and wove the cloth and made the garments of their husbands. Women then had plenty of work, and of as necessary and valuable a sort as that of men. Patriarch Abraham's wife made and baked the cakes for him and the visitors herself; she was a working-woman. To-day all this is changed. No queen works, no chieftain's wife works, no trader's wife works, no *lady* works, or wishes to work, or expects to work.

But beyond that, for reasons, there is now insufficient work for women to do, who are willing to work, and must work to escape starvation.

One of the principal causes of this inadequate work is that the variety and perfection of our machines have totally destroyed woman's great occupations of spinning, weaving and making clothes for men, as well as nearly all fabrics for their own wear.

There remains only the universal and never-ending demand for cooked food, which women in a good degree yet supply. But even that is in danger; for the public baker is getting possession of the bread-making, and it is likely that central and coöperative cooking in towns will seize upon that last one of woman's industries.

It seems surprising, but it is a fact, that most women look upon this destruction of those woman's occupations with complacency, and consider that having nothing to do must be a blessing. The result is that to-day woman seems to be the least valuable of created beings; that many women, who are willing or are forced to work, can find no work which they can do; that

thousands upon thousands are stranded and helpless; and others are driven by want into vice, degradation and misery.

This mortifying fact is not confined to one race or to one continent. It exists in all countries; and most in those which call themselves "civilized." So patent is it that such statements as this occasionally meet the eye:

A German professor, who rejects Malthusian doctrines, computes that, taking the whole world for an average, a woman is worth about one-eighth of a man. He thinks that there are at least two hundred and fifty million unmarried women in the world. As a rule, out of Europe, horses are more valuable than members of the fair sex.

In the Chinese civilization woman is of so little value that often a wet rag is laid upon the mouth of the new-born female child; and so there is one woman less in the world. The same, or a like practice, in a quiet way, prevails in Russia, in Italy, and even in New York. Now if women do not marry, and if they cannot find work, does it follow that we must practice and legalize that Chinese method?

Who can wonder that the vigorous advocates of "woman's rights," so called, are alive and earnest; that they are seeking, blindly, perhaps, for light; are grasping, wildly, perhaps, for work? Why should they not cry aloud:

"Let us vote if that may help us;"

"Let us go to colleges if that will help us;"

"Let us become doctors, lawyers, politicians, porters, scavengers, etc., if that will help us"?

How to secure for woman, or to restore her to, her normal position and value, is one of the foremost questions of the time, and is second to none. What can she herself do to become again valuable? What can she do to secure health, wealth, and happiness for herself and for mankind? Are all the plans now urged wise, desirable, practicable, or even possible?

First. Must woman compete with man in the hard work of the world; and can she?

Let us see what that has brought her to in some countries.

The report of our consul at Würtemberg* says: "In all parts of Würtemberg may be seen women splitting and sawing wood, . . . carrying heavy burdens of fuel, stone, etc. . . . thrashing with the flail all day, . . . mounting the ladder with

* State Department Consular Reports, 1878.

bricks and mortar, . . . performing the duties of scavenger," etc. This statement applies largely to woman in all parts of Europe.

The effect of this kind of work upon woman is to make her common, coarse, ugly, dirty—undesirable, except as a beast of burden. Do women in America want to rival men in those occupations?

Another effect is, that such women, so worked, produce ugly, diseased, and deformed children. An American observer at my side states that he was so struck by the number of deformed, rickety children in the capital of Prussia, that he counted, as he walked the streets, in half an hour, more than six such wretched beings, upon whom the sins of those mothers had fallen.

That sort of work necessarily compels ignorance, brutality, and vice.

In England, and in all other European States, whole populations are depressed, degraded, brutalized. They cease to work well, they become diseased in many ways; but they never cease to produce weakly and pauperized children. The cost of raising these sickly and debased children to the age of eleven is, at the very lowest, not less than six hundred and fifty dollars each in England—an enormous outlay to make only a poor worker and a weak man or woman.

One more, and an important result of that kind of civilization is this: Just so far as woman is forced, or forces herself, into the labor market in competition with man, does she drag down and cheapen man's labor. She makes no more work, and only divides the existing work with man.

And let us see what is the condition of woman in the labor markets of Europe, there competing with man.

In Prussia, in 1867, there were woman-workers in agriculture, 1,054,213; man-workers in agriculture, 2,232,741. Nearly one-half of the farm drudges were then women, and their number is steadily increasing. We shall see presently what wages these men and women were able to get. Admitting that woman *must* do those kinds of work, and that there was enough of it for her as well as for man, what is she found to be worth at it?

Mr. Brassy, the great railroad contractor, reports that in Germany, as compared with man, she was worth 1.60 francs per day to man's two to three francs; but little more than one-half. Mr.

Brassy had no prejudices, he simply wanted so much earth removed at least cost, and cared nothing as to what sex did it.

In Russia, on public works woman is rated with man as £17 to £85—the man is worth five times as much.

Mr. Young gives the wages of women as compared with men in Kemnitz in 1872, at the same sorts of work as follows:

Bleachers—men, per week	$3.12
" women, "	1.44
Spinners, piece work—men, per week	4.32
" " " women, "	1.44 to 1.92
In a damask factory—men, per week	3.24 to 3.60
" " " women, "	1.98
Men, masons, per week	3.60
Women, making and carrying mortar (Bohemian women)	2.88
In Italy he gives wages of men at Genoa, average per day	.36
Of women (both without board) " "	.18
In Ghent, factory hands earn—men, average per year	131.44
" " " " women, " " "	75.84
In Manchester, piecers in mills—men's wages per week	3.60
" " " " women's " "	2.40
In Huddersfield, weavers—men, per week	5.80 to 9.68
" " women, "	3.63 to 4.64

It seems useless to go on further. And to prevent misconception it may be well to say, that there is and can be no systematic rating down of woman's work. It seems that even in the more dexterous kind of mill-work, women rate at about one-half the value of men, while in the heavier work of out-of-door life they rate a great deal lower.

Do our women workers, however, know what competition, ignorance and bad government have done with some sorts of woman's work in some parts of Germany? Do they know that women there are working for fifty-seven cents per week, with which they house, clothe, and feed themselves?

Is it best for women to force themselves or to be forced here into such occupations as will bring them to that sort of *civilization?*

Some may say, "All that applies only to the effete despotisms of Europe, and cannot prevail for a day in the sunlight of Liberty." Is that true? This class of working-women (and men, too), are pouring in upon us by hundreds of thousands each year from Europe, and a poorer class still are coming from China, and yet women-workers say, and men-workers say: "Even now

there is not work enough in the United States for us at living wages."

In 1870, Massachusetts, which once boasted her people of pure English blood, was already populated with foreigners and descendants of this lower class to the extent of *two-thirds of all.*

Laissez-faire (let things drift) is the cry of politicians and school-masters; and we are drifting. If filth then wants to flow into our wells it *must* flow.

Let us read a few words from the Massachusetts Labor Report of 1880, in order to get some idea of what women-workers in the mills there now are:

> "In our cotton mills especially the women and children largely exceed the men, being often from two-thirds to five-sixths of the whole, and the proportion of them is steadily increasing. And what are these women and children but the very weakest and most dependent of all the people? They have no disposition to agitate. They have no power to change any existing condition of society if they would. * * * All that is possible for them is to toil and scrimp and bear."

Is that the civilization which the "solid men of Boston" desire?

We must ask senators and women to contrast that civilization with the civilization which prevailed in New England when women lived in their own houses and helped on the farmers' work. Judicious people fail to see that those drudging women have improved upon the old, womanly business of wife and mother, of cook and washer-woman. They fail to see that the lowering of wages, by forcing woman into such occupations, can do anything but injure her as well as the man — who might be her husband.

They fail to see that mill-work is an improvement on housework; they fail to see that "enlarging the sphere" of woman in such ways is doing anything but evil; and that the evil is on the increase. Must woman then travel that road?

Brain-work for Woman.—We come now to another great department of the "labor question," viz.: Brain-work.

In all directions colleges and high schools are going up, intended to prepare the brains of girls and women to engage in that sort of work which the world wants done, and which is said to be more honorable than hand-work. Women of the upper classes no longer suckle their babes, but employ a negress or an Irish woman to do it. Upper-class women have, as they fancy,

higher duties than to nurse and educate their children, "duties which they owe to society"! Upper-class women's duties and pleasures lie outside their homes; and lower-class women are coming to have no homes at all.

Girls are being prepared daily by "superior education" to engage, not in child-bearing and housework, but in clerkships, telegraphy, newspaper writing, school-teaching, etc.; and many are learning to believe that if they can have but their "rights" they will be enabled to compete with men at the bar, in the pulpit, the Senate, the Bench.

And why not? If men can get from the world wages ranging from two thousand to fifty thousand dollars per year, why not women? To be sure, wealth is a disease, a mania; but while it lasts why should woman not have it? It is an interesting and a yet disputed question, whether women can or cannot compete with men in the hard brain-work which the world now demands.

One of the first of the young women's colleges of Massachusetts (some forty or fifty years ago) had for its physician Dr. B——. He said to me:

"The college attempted the same course of studies as prevailed in the best colleges for men. The women were quick-minded, ambitious, and determined to excel; they worked well, and were in no way inferior to men of the same ages. The result was that within the year more than one-half of all were in my hands for derangements of the sexual organs."

His expressed belief was, that young women could not safely do the brain-work of young men; and knowing the sensitive and exacting demands of the great reproductive function, he doubted whether any but very exceptional women ever could do it. This opinion of Dr. B—— is enforced by hundreds of our best physicians and surgeons; and while a few able physicians express a contrary view, the weight of opinion and the crushing weight of experience seem to be with Dr. B——. Uninformed persons point to exceptional women as conclusive proof that she can do it. Exceptional women do not seem to prove anything. Let us consider some physiological facts, well presented by Miss Hardaker, in a recent magazine article:

"A large amount of matter represents more force than a small amount; and this law includes vital organisms as well as inorganic masses.

"The weight of all the men of civilized countries would exceed that of all the women by perhaps fifteen or twenty per cent."

Men have larger lungs, more blood in their veins, and a greater power of digestion than women:

"The amount of food assimilated by men exceeds the amount assimilated by women by about twenty per cent."

The weight of man's brain exceeds that of woman's brain:

"A mean average weight of 49½ ounces may be deduced for the male, and of 44 ounces for the female brain."

Again: Suppose two *equally* good bodies, brains, and stomachs, each working perfectly; one uses more food and makes more blood than the other:

"Consequently the man will do more thinking in an hour than the woman."

Miss Hardaker makes another statement, which cannot be ignored safely, however much we might wish it, viz.:

"The perpetuation of the human species is dependent on the function of maternity, and probably twenty per cent. of the energy of women between twenty and forty years of age is diverted for the maintenance of maternity and its attendant exactions."

In other words, the man of equal weight has twenty per cent. more to devote to work than woman. In matter he is as five to four. And that difference can be overcome by no possible legislation.

These are important facts which able women ought to know.

Let us apply to brain-work the same economic statement which we have applied to physical labor.

Woman can bring no added work into brain occupations; she must divide that already existing, and by so doing must lessen, perhaps halve, the wages of man.

A consequence, apparently not foreseen by some senators and some able women, must be this: to take from the present male brain-workers one-half their wages, and so make it impossible for them to marry and support a wife and children.

This must add to the present lamentable crowd of needy, lonesome, and suffering women.

Do we wish to do that?

But leaving for the present the difficult question as to woman competing with man in the brain-work of the world, let us see what the capabilities of woman for doing the hard work of the world really are.

The quotations here presented are from Dr. Ames's book, "Sex in Industry"; and we may presume that he and his coadjutors assert only what experience has proved to be true.

Backed by Dr. Ely Van Der Warker, he says: "Woman is badly constructed for the purposes of standing eight or ten hours upon her feet. . . . The knee-joint of woman is a sexual characteristic." Reënforced by Dr. Clarke, he says: "The female pelvis being wider than that of the male, the weight of the body in the upright posture tends to press the upper extremities out laterally in females more than in males. Hence the former can stand less long with comfort than males."

He cites Dr. Von Hirt, a German observer, as to the palpable evil effects of the dust of mills, which is peculiarly injurious to women, resulting in "coughs, decided constipation, obstinate debility, and loss of appetite."

In this mill-life the work, though not hard in its single steps, becomes most exhausting because of its continuous, never-ending call upon the attention of mind and body. It also demands quickness.

Added to these, perhaps necessary, evils, are the ignorance and carelessness of the mill-owners, and the ignorance and carelessness of the women hands, who resist less and break down quicker than the men.

Ignorance, childishness, and recklessness are not uncommon among women. "Many women operatives will dance half the night after the day's work, forgetting, or not caring, that they cannot lie in bed the next day like their richer sisters."

Then come derangements of the digestive organs—*e. g.*, pyrosis, constipation, vertigo, headache, etc., generated by neglect of the calls of nature, by hasty eating, by the use of bread, tea, and coffee, in place of meat and well-cooked vegetables. Deranged state of the sexual organs follows in any and every variety and degree.

Out of this come, and must come, many and various diseases —painful, exhausting, too often incapable of cure even under favorable conditions. Consumption is one and not the least.

With some diffidence we here venture to suggest to our women-workers and to our senators a comparison by them of that life and those results with the life in one's own home, even if the woman is obliged there to suckle her child, to cook the food and wash the clothes of her partner.

Insanity and infinite nervousness come to those workers with other diseases. Dr. Ames says workmen come second in the terrible lists of insanity, and working-women make a great showing there.

The results of these attacks upon the health of work-women (and including workmen) is something surprising. It has been found in England that for every death there are two constantly sick.

It has been found that in Massachusetts alone, in the one year, 1870, there was among the workers a loss of time equal to twenty-four thousand five hundred and fifty-four years from sickness and disability. This was so much labor lost; beside which was untold pain and wretchedness, and uncounted expenditure of hard-earned savings. Counting this loss in figures, say at one dollar per day, what does it amount to? To this—eight millions nine hundred and sixty-two thousand two hundred and ten dollars per year in Massachusetts.

This amount of nine millions of dollars could have been added to the wages of the workers had they known how, or had they been able to keep well; and then had done it.

But it is a question, and a serious one, whether in such occupations it is *possible* for women to keep well. It is almost certain that it is impossible.

Let us observe some few of the occupations in which women do engage, and wish to engage more, and, indeed, are forced to engage, as their position now is.

TYPE-SETTING.—This rather fascinating occupation is found to be very hard on women if they stand at the work. The testimony of Miss S—— is given, who had for long been a type-setter and foreman of a composing-room. It was: "I have no hesitation in saying that I think I never knew a dozen lady compositors who were well. Their principal troubles are those belonging to the sex, and great pains in the back, limbs, and head."

TELEGRAPHY.—With regard to this highly organized occupation, the same general statements are made, with a difference only: "Those at all familiar with the demands upon the nervous

energy and manipulative dexterity required by the processes of telegraphy, will not be surprised that the rapidity, readiness of perception, etc., ... are found to exert upon the general and special health of the youthful lady operator a most positive and injurious effect."

A "lady operator" many years in the business reported: "I have broken down several times from sheer nervous debility. I have 'turned of age' safely, and was well in this and every other particular when I entered the office. Since I broke down the first time I have never been 'right,' though much improved when out on my vacations."

COUNTING OF MONEY, ETC.—Few occupations would seem so attractive to the average working-woman as the counting of money in the treasuries of the United States. It is found to demand "concentration, alertness, continued exercise," and these, with the monotony, work mischief. One of the oldest lady workers said: "Gradually they learn to count faster, but they continue in the work but a short time."

The counting of the rattan strands at Wakefield is found to produce the same unbearable results.

Of Stenography we have the same report,—"Constant employ therein would inevitably break a woman down in a short time."

SEWING-MACHINE WORK.—Here is one of the greatest of the modern occupations for women, and it is found to be a doubtful blessing. Dr. Ames states that from sixty-nine replies from physicians to questions, forty-four came declaring injurious "results to be undoubted upon the organs of menstruation and the function itself."

The troubles produced by the continued use of the sewing-machine are classed under some general heads:

First. Indigestion.

Second. Muscular pains.

Third. Diseases peculiar to women.

Fourth. General debility.

This catalogue of woman's troubles is distressing, and it is true.

Does it seem as if voting was likely to remove them?

What women are to do, and what they are not to do, what they can, and what they cannot do, are pressing questions.

What women are *not* to do seems at present a vital matter to them.

THE RIGHT TO VOTE.—We *must* touch upon the great question of "Woman-Suffrage."

It will not be improper to remind the advocates of this measure that the right to vote has not saved men from most of the evils which now threaten and afflict women, and that those afflictions lie infinitely deeper, viz.:—in "free competition and in cheap labor"; in the absurd and unequal distribution of all earnings, and, also, in the entire absence of all government and control by the wise and experienced in these United States over every department of life.

It may be well to remind them that the right to vote involves thought, time, struggle, and perhaps public service of all sorts; and these must be an added burden for women to carry.

HOW WORKING-WOMEN LIVE NOW.—It will not be questioned that, physically, women are weaker than men, and that they need better care and better protection than men; that better care and better protection ought to be secured by marriage,—though too often they are not. Now, if this matter of competition with man in the labor markets and in voting is to be consummated—as seems possible—it may well be doubted whether woman will not suffer from it more and more.

Already there has grown up a very considerable and threatening rivalry between women and men. Woman often asserts and believes that man is and has been her oppressor; that he is coarse, brutal, unjust, dishonest.

The feeling of rivalry and hatred is growing too rapidly among women, and it is sure to be reciprocated by men. "If they are to assert themselves against us, let them rough it as we do," is common talk.

The keen criticism by women of men is on the increase; the keen wits of woman, sharpened by education, aggravated by her sense of implied inferiority and weakness and injustice, are tending to make her a disagreeable companion, and an undesirable partner for life. Marriage is becoming more and more dangerous.

The life of the single woman is already hard and depressing enough. If this class is to increase, and is to be crowded into the working world outside her house, what must be the result?

How the vast army of single women do manage to live now is known only to themselves. It is believed there are between seventy and a hundred thousand woman-workers in the city of New York alone.

A few words from the New York "Times" will serve in a degree to enlighten the women-workers who have not yet gone to New York as to what they must expect there:

"It is estimated that some sixty thousand women in and about this city alone earn their own living, and that the number steadily increases. They are of all grades, from servants to modistes, book-keepers, artists, and managers. A number are members of intelligent professions,—medicine, journalism, lecturing, acting. Not a few earn a good deal of money, notably actresses, milliners, and dress-makers, and often they acquire an independence. The profits of actresses are probably higher than those of any other feminine calling; then come milliners, and next dress-makers. Lecturers have made considerable money; Anna Dickinson cleared forty thousand dollars in one year. Actresses command higher salaries and more lucrative engagements than ever. Milliners and modistes, after they have gained a fashionable reputation, thrive famously; but they are necessarily few. The bulk of the sex employed are seamstresses, saleswomen, teachers; the teachers who do well are exceptional; copyists and the like get very meager compensation. Of the sixty thousand feminine workers, the average earning is not over four dollars to four and a half a week."

We come then to another most important point:

WHAT IS WOMAN'S WORK.—Let us use the words of Gaskell, quoted by Dr. Ames:

"No great step can be made till she is snatched from unremitting toil and made what nature meant her to be,—the center of a system of social delights. Domestic avocations are those of her peculiar lot."

Dr. Paul Broca says:

"In the normal condition of things, woman's mission is not merely to bring forth children and to suckle them, but to attend to their early education, while the father must provide for the subsistence of the family. Everything that affects this normal order necessarily induces a perturbance in the evolution of races, and hence it follows that the condition of woman in society must be most carefully studied by the anthropologist." *

Is office work so delightful? Is it to be got? is the question. Already Washington has come to be a sort of refuge for hopeless women, and every senator and every M. C. shudders at the sight of "female loveliness" eager for place.

Is mill-work desirable? Women are rushing into it. Women operatives in 1865 numbered 32,239, or some nineteen per cent. of men operatives. In 1875, they numbered 83,207, or some twenty-six per cent. of men operatives; and an increase of

* "Anthropological Review," 1868.

women-workers on themselves of nearly three hundred per cent.

Dr. Adler, of New York, has just presented some facts and figures as to female operatives in England, which it may be well to read:

"INCREASED EMPLOYMENT OF WOMEN.

"The tendency of the present day is to more and more entrain women into industrial pursuits. In the flax industry in England there were employed, in 1850, 46,000 women; in 1875 the number had risen to 112,000 women. In the wool industry in 1850 the number of women employed was 73,000; in 1875 it was 135,000. The cotton industry in 1850 was 183,000; in 1875 it was 258,000. The number of men employed in the cotton industry at the same time had diminished to 110,000. In our own country a similar state of things has been generated. In the census of our own State—New York—for the year 1875 we find among the factory operatives in general that the number of women is largely in excess of the number of men."

On every hand we read of a condition of things which complicates the problem much, viz.: That marriage is growing more difficult for woman and less desirable for man.

And why?

WHY DON'T WOMEN MARRY?—Women do say and must say: "If men will not marry us, we must work to live; even if it destroys us, and the wages of men, too."

Experience is the only teacher of man; and experience has taught the world that polygamy is pernicious; that prostitution is pernicious; that the marriage or partnership of one man with one woman is the best social system yet devised. That being admitted, why do not all men marry, that thus the whole body of women may be occupied in the way which ought to secure the utmost possible of health and comfort?

The question is intricate and the causes subtle.

That woman is not married is owing to a variety of reasons.

First. Her health.—So general now is her "delicacy" that it is said and repeated to-day that not one woman in ten can be said to be a fairly healthy creature; and this is true of all classes, upper and lower, workers and idlers. As a rule, women do not know how to keep well and handsome, and they laugh at those who do.

Second. Her mental condition.—If sick in body, her mind and spirits and temper are surely disturbed. She must be sensitive, nervous, possibly fretful and unhappy. If so she is unfit to be the helper and companion of man.

Third. Impracticable theories.—It is quite common for young women to fancy they are to marry a man and be "happy"; that they are to be "the idol of that man," and to receive everything and to do nothing. That they are not to be helpful, but are to be helped.

Money becomes of first importance in such a scheme of life; and that few workmen have or can now expect to get, in adequate quantities for married life.

Fourth. The average man is often ignorant, rough, greedy, sensual. His coarser pleasures and wants consume his earnings. His tastes are thus vitiated, and the dull serenity of home life too often seems undesirable.

There is one more of these most apparent obstacles to marriage, and that is,—the number of unhappy marriages. The causes which have here been touched upon will account for many of these. The undue familiarity of married life will help to account for others; for it is true in a degree, that "familiarity breeds contempt"; and it is true in many cases that men and women, once married, treat each other with less kindness and decency than they do strangers.

And lastly. Many men cannot afford to marry.

Wages of able working-men now range from two hundred and fifty dollars to five hundred dollars per year, and are gradually decreasing in all civilized States.

It becomes a serious question to any and every man, not whether he ought to marry, but whether he is not imperatively forbidden to marry. It becomes a serious question for every woman whether she should bring children into the world to become drudges, or worse.

It is certainly true that no sensible workman can afford to or will marry a "lady,"—a woman who can and who will do no work.

Bad Results.—So widespread has this neglect, indifference, or opposition to marriage now become, that in many countries the hatred of women themselves to illicit connections is becoming mitigated.

We have reason to know that large numbers of well-bred women in England have given way to what they could not resist; that larger numbers in France engage in the business of unwedded love, coolly, understandingly,—simply as a business; and that in due time they retire from their hard business and,

seeking new quarters, resume that life of respectability and virtue which for a time had been put away.

Is that "progress"—is that civilization—which forces women to unsex themselves; to enter into a race in competition with man, in which she is sure to go down; which brings her to starvation wages; which involves a ruin of health and temper; which forbids all enjoyment of life; which crushes the great function of her being; which makes merchandise of human virtue;—is that a civilization which women ought to admire, defend, or preserve?

We ask that question of our American women. We believe it to be the inevitable result of our financial civilization, based upon laws of trade and *laissez-faire*. We are sure that competition—the right of the strongest to all he can get—must result everywhere in the degradation of woman and the pauperizing of man. It has done so everywhere, and it must do so everywhere. When women and senators shall learn that wealth and poverty are twin evils, and that they always go together; that they imply suffering, disease, vice, and crime; then they will begin to see that something better than voting for a pot-house statesman is possible for women as well as for men.

PANACEAS.—"Rose-water," and "free trade," and a "poet-laureate" may console the Empress of England and India, but they have not prevented and they do not console the one hundred and fifty thousand poor women who, according to Professor Fawcett, exist in London without adequate bread and with very insufficient virtue. Those fine words have proved will-o'-the-wisps to lead England and England's women into the mire. And what remains? What can woman do if she cannot and ought not to be forced into the hard and drudging work of the world—hand-work and brain-work both?

One thing she can do and must do; she must make herself into a healthy, strong, good-tempered, helpful woman. She cannot be a man, and she cannot do the man's work. She can be a woman and can do the woman's work, which more and more she is instructed to despise.

She cannot be an elegant person, the plaything of a man; for in that state she is a luxury, like the Circassian houri; and no workman can have her, or will have her, in that shape. She can be a woman, and she cannot (with exceptions) be a "lady"; and then she can be the wife of a working-man, the mother of his

children, the keeper of his house, and his friend and helper in all the business of life. If colleges will help her to be that, if voting will help her to be that, then let her have colleges and free suffrage; if not, then she had better let them alone, and seek a better remedy.

In all the many plans for helping and advancing the good of the working-woman (and indeed of "woman"), one needs not forget that *education* ought to mean the learning how to use the whole being, the hand as well as the brain. No man and no woman is ever a complete creature who can use but one. In nearly all educational schemes now, the hand is ignored and the brain is exaggerated; the result is, millions of brain-educated men and women who, for the practical business of life, are as helpless and as useless as idiots.

If brain-education is what woman now seeks—leaving out the hand—she must only sink to a lower depth. We all blunder, and we all sin and suffer through ignorance; and woman more than man, because she is weaker and can bear less.

We close this paper with a few suggestions:

There is every year produced in the United States a great surplus of food and of all other necessaries and comforts of life. And there are thousands of men already who get of that surplus one million dollars worth each per year. There are millions of others, including the women we have been writing about, who cannot secure food enough to keep them in decent health; thousands on thousands who are thus forced into sickness and degradation, worse than that of the savage state. Why is this? Because the able brains of men and the generous souls of women have never attempted to secure any legal, fair, and humane division and application of all this surplus wealth, which is the only true cure. Indeed, they are yet so ignorant as to believe that brain-work needs and should have high wages; hand-work small wages! Both have been led away from the great and only cure, which is, that the strong must care for and help the weak, the wise the foolish, the old the young, and the young the old.

That must come to pass, or Christianity is a delusion and Civilization a failure and Society a ruin.

CHARLES W. ELLIOTT.

THE ETHICS OF GAMBLING.

THE title of this paper is, in a sense, misleading. There are no ethics of gambling. It is essentially immoral. It recognizes no principle of right and wrong. It bows to no spiritual authority whether expressed in the form of a "categorical imperative," which appeals to immutable ideas, or in the conventional form of enlightened public opinion, which rests on the moral sentiment of the generation. It sets conscience at defiance, and eludes law, which gives voice to the average convictions of mankind. It is insensible to the disorder of which it is the parent. It has no respect even for the money it so carelessly passes from hand to hand. Among the mysteries of Monte Carlo, there was none greater than the heedlessness with which piles of wealth were pushed about. No person who valued property, or respected the conditions on which property was legitimately acquired, could vent upon it such utter scorn. The gamesters, one and all, men and women, appeared wholly unconscious of the uses of gold and silver. The pieces of coin which they threw down or picked up were but so many counters, representing no moral or æsthetic quality; neither beauty nor power; neither knowledge, character, nor goodness; neither comfort nor elegance; neither public nor private good-will; neither utility nor grace. The players had no scruple in carrying away as the sport of an idle moment, in sheer contempt of toil and economy, a sum sufficient to maintain a frugal, industrious household for months. What money purchased they did not really care for. The jewels, velvets, satins, wines, the gilding and damask, the servants and saloons had no precious quality in their eyes; the art was purely decorative. This is the final condemnation of all gaming, that it insults labor, sets the rules of life at defiance, vilifies character, flouts every principle which society sanctions as the basis of permanent suc-

cess, and coolly puts aside every consideration of rectitude which is the best result of the thought and aspiration of mankind.

It is familiar knowledge that, even at the present day, men lavish on their vices sums which no remonstrance, persuasion, or reasoning will extract from them in behalf of their virtues. Passion not principle holds the purse-strings; desire not duty keeps the cash-book. It is seldom, indeed, that conscience controls the exchequer, and when it does, the fact is chronicled as prodigious. The world wonders at it and passes on as if the demonstration was none of its concern, a mark of eccentricity, a sign of personal peculiarity, possibly an indication of provincial or tutored narrowness. More money is spent for tobacco than for bread; more for spirits than for wine; more for wine than for baths or means of preserving health and increasing vigor by exercise; more for amusement than for instruction; more for theaters than for churches. Actors, singers, dancers, are paid ten times as much as teachers and preachers are. The popular player who entertains people, makes them spasmodically laugh or cry, though he possesses but a thin vein of genius, enacts the same part continually, and is not associated with any of the means whereby human welfare is promoted, becomes in a year many times richer than the professor who devotes his life to the acquisition and the diffusion of knowledge, or the philanthropist who spends his soul for his kind. To excite the nerves is a surer way of gaining wealth and reputation than to strengthen the mind. To this extent are we still barbarians; to this extent has civilization failed to lift men and women above their instincts; to this extent have all noble influences—art, education, religion, love of country, love of man, love of God, failed to substitute intellect for inclination. When people who will not give dimes in charity give dollars to witness a foot-race or see a clown, it is pretty good evidence of the supremacy of appetite in the masses of mankind. To appreciate this one need not be ascetic or puritanical; it is not necessary that one should frown on amusement, say that laughter is mad, or grimly insist on the preëminence of intellectual pursuits. We protest against being supposed to cherish an unreasonable prejudice in favor of seriousness or of cultivation. The fact mentioned is one which lies too broadly on the surface of society to be visible from only one point. It is as patent to the pleasure-seeker as to the philosopher, and is simply

recognized, put in its place, reasoned on without heat, and without censoriousness.

Another consideration is in place here—another fact which is closely related to the class just alluded to. It is matter of constant, universal, superficial observation, that the average man prefers to get money by any means that will save him labor, even though the means be not quite reputable, to working for it. In the common apprehension, the primeval curse still rests on toil. They who find in work their recreation, their satisfaction, their joy, their solace under disappointment, their deliverer from temptation, their relief from languor, are still very few. The multitude shirk labor. Witness the rage for speculation, the crowd at the exchange, the throng of adventurers on the street, the disgraceful phenomenon of stock-gambling, the great company of people who live by their wits, wait for something to turn up to their advantage, haunt the patent-office, dog the steps of inventors, borrow money, live on their friends, hang to the skirts of successful schemers. Every man of ability has a score or two of successful parasites who live on his bounty without shame. It is thought quite respectable to take the money of some one else who has earned it. Carlyle's tremendous preaching of the sanctity of work seemed to some exaggerated and stale a generation ago; but the gospel would be new and startling, not at all of the nature of "good news," to the larger part of any modern community, which, so one has money, does not ask impertinently how he came by it.

Add to this the passion for nervous excitement which betrays the immaturity of our social development, and we have another cause of the mania we are trying to explain. The fascination of betting may be accounted for, in part at least, by this propensity, which takes men to the gin-shop, maintains the bar of hotels, persuades men that they can attain felicity by stimulating a nerve. How long would horse-racing continue if the training and perfection of the horse were alone considered? or foot-racing, or boxing, or wrestling, if the element of betting were left out? The stake-book is a prominent feature on all occasions which draw the promiscuous crowd. The raffling at fairs owes its popularity to the success that attends every kind of appeal to this irrational propensity, and to the incessant demand for nervous excitation. The idle passengers on an ocean steamship will

spend a large part of the day, amid the fumes of tobacco smoke, betting on the speed of the vessel, the number of knots made in twenty-four hours, the probable day of reaching port. Gaming owes its charm to this love of excitement. Love borrows from it a portion of its rapture.

The law draws a distinction, and morality likewise, between playing *with* this excitement and playing *without* it. Playing *with* it is gambling; playing *without* it is innocent amusement. Whist, bezique, piquet, euchre, and other games are allowed, because they may easily be played by amateurs who wish to pass an idle hour. *Trente-et-quarante, rouge-et-noir* are forbidden, because although they may be, they seldom are, played without peril to sanity. The lady or gentleman who sits in a parlor, and, soberly, sedately, without noise, glare, or intoxication of any sort, sits down to an innocuous game of cards, is trespassing on no propriety. The entertainment may be dull, but it is not criminal. The man who plays the same game, under circumstances of exhilaration, the blaze of gas, the accompaniments of cigars, wine, stakes of money, the lust of gain, or the delirium of pleasure, commits a grave offense against morals. The sole difference is that, whereas one keeps reason uppermost, the other is under the influence of passion. But this difference is immense. It is, in fact, the whole difference between the moral and the immoral attitude. The skill may be the same in either case; the amount of calculation may be presumed to be equal; the chances of favorable or unfavorable runs of fortune are no greater in one case than in the other; the risks in dealing, shuffling, casting the dice are precisely balanced,—but the one player is cool, the other is hot; one can stop whenever he chooses, the other cannot choose but go on; one is himself, the other is beside himself. On this ground society may logically interfere, as it interferes to prevent drunkenness, to arrest suicide, to secure order. No game would be forbidden that caused no depravity of nature, that did not tend, in some degree, to confound man and beast,—as no drinking would be frowned on which did not dehumanize, no pleasure that did not degrade by weakening or perverting nervous energy, no vice that was moderate in its indulgence and brought no shape of ruin in its train. The overbalance of excitement is fraught with danger. The game is suspected because it is associated with demoralizing passion, and is pursued

as one of those perilous devices by which men try to infuse romance into their otherwise dull existence, to add zest to their experience, to drag some portion of heaven down to their clay. To procure this, one goes to the wine-shop, another to the house of prostitution, another to the glutton's board, another to the dance, another to lascivious music. Often the devotee of pleasure makes experiment of every kind of nervous exaltation, for the vices, like the virtues, open into each other, all conducing to one end—delirium. The excitement may be momentary, but for the moment it is intense. It is illusory, but on that very account is repeated. It is followed by exhaustion, but for that reason especially is guarded, supplemented, protracted, as much as possible. Gambling is the most fascinating because the most intense, the most lasting, and the most social. It brings the greatest number of stimulants together, and exerts their power on the most sensitive nerves.

The distinction is sometimes drawn between gaming which is harmful and gaming which is harmless, that the latter is reduced to rule and is under control of skill, while the former is given over to chance. But is such a distinction quite valid? To say nothing of the elements of chance in games allowed, the elements of skill in games forbidden are worth considering from their number and weight. The amount of brain-force expended in solving the problems of the gambling table is amazing. The theories are legion. The calculations lie in heaps. Mathematicians of eminence have tasked ingenuity in devising systems of play, in computing numbers, the recurrence of suits, the laws of odd and even. The late Benjamin Peirce would stand fascinated watching the gyrations of skillfully handled billiard-balls. At any great gambling resort the players may be seen, note book in hand, studying signs and numbers, the succession of cards, the alternations of winners and losers, formulating as well as they can the laws of successful venture. Whatever skill can accomplish is allowed for. If skill were master of the whole problem, gambling would cease. There is no reason to think it ever will be, hence a wide margin for excitement, indefinite room for the play of passion. The flashes of suggestion only serve to pique the rage for speculation. Arithmetic assists madness. Science becomes an ally of distemper, by tantalizing curiosity, provoking continuance, and prolonging the insane delight. The

keepers of the "hell" owe a vast debt to the mathematician and could well afford to keep one in pay to sing the siren song which allures their victims to the snare.

The nervous excitement increases with the amount of the stakes. Where there are no stakes or small ones the excitement is reduced to the smallest point. He keeps cool who risks nothing or no more than he can easily afford to lose. He plays for entertainment and can desist when he will. But he who pledges more than he can comfortably part with, who ventures all he has, perhaps more than is his own, becomes as crazy as the drunkard or the opium eater. He returns to his temptation again and again. If he loses, he counts on redeeming his fortune; if he wins, he cannot resist the desire to win more. A strange irritability haunts him. A wild infatuation possesses him and drives him to his ruin.

Whence the singular charm that invests money? The gambler does not value money, does not understand its worth, attaches no significance to it, does not care to keep it, flings it recklessly about. Yet, even his imagination is caught by some splendor which he cannot comprehend, by some dazzling felicity which he associates with the silver and the gold, the sparkle of the wine-cup, the flash of jewels, the sheen of damask; glittering possibilities of power to command the genii that minister to delight. The thought of being without money never occurs to him. He is, at least, rich in his dreams. In fancy, he lives in a golden age, though his abode be a garret and his food a crust. To-day, he stands on the threshold of Elysium; to-morrow, he confidently expects to tread the marble courts. The vagueness of the anticipation bewilders and invites. He does not envy the miser; he does not envy the spendthrift; he does not envy the successful gamester. For none of these get the full measure of enjoyment out of their wealth. When fortune smiles on *him* the world will know the meaning of the smile. They are not in heaven—he will be. His visions are all of some future glory. He may fling away money in charity; he may give it in aid of some public cause which stands prominent in the general eye, like a monument, a statue; but these things are done, in part because he is by instinct kind-hearted, in part because he is reckless, in part because he is willing that the world should see how much he has and how little he prizes it. Of real humanity, of genuine

public spirit, he has none. Of the true significance of money he has no inkling of an idea. Not only is he destitute, as he must needs be, of any perception of the divine import of money as a sign of man's supremacy over the lower spheres of nature, he equally lacks comprehension of its higher social advantages. He is animal and passionate through and through. He despises man and he despises woman. He regards the most precious, the most sacred things, as purchasable. He has no respect, no reverence. He is a materialist, a sensualist, using money to keep men and women in subjection, never to serve them; owning and enslaving, never emancipating them. The influence of wealth in starting enterprise, initiating progress, inaugurating institutions, impelling combined forces, he does not appreciate or think of. Rather he endeavors to make social dignities tributary to his private aggrandizement. The true man is ashamed of his deference to money. The gambler is not; herein resembling the menial, the slave, the base, scullion natures, who lose sight of the man in his accessories. The gambler loses the image of the man; in fact, thinks that he can put himself on a level with the best by wearing the finest clothes, the shiniest hats, the most immaculate boots and gloves. The passion for money is, in his case, associated with the taint of vulgarity in dress and manners. By swagger, bluster, strut, he makes himself the caricature of a man, degrading every fine quality by some perverted semblance of it, and punctually reversing the providential order visible in the subordination of show to substance, and sham to reality. His trade is essentially dishonest. He differs from the ordinary impulsive sensualist in this, that whereas the latter falls and picks himself up again, sins and repents, is composed of alternate layers of dirt and deity, he pursues an even, deadly course of self-indulgence, too wary to tumble into hell, too stolid to rise toward heaven, an unmitigated animal. This may help to explain the popular horror of the gambler as a person past recovery or redemption. The philanthropist despairs of him. The reformer leaves him alone. They who toil to reclaim the drunkard and the prostitute give him up, for they discern in him no capacity for revulsion. He lives on a theory which excludes repentance, contemplates nothing above pleasure, descries no heaven beyond the senses. The charities of Monte Carlo are famed all along the Riviera, but the gaming goes on all the same as if no touch of mercy ever softened the flinty heart.

The large subscriptions are a sop to Cerberus. Much is said of the care taken there to exclude minors and irresponsible people; but the gaming still goes on, and all are admitted who have money to lose; the "respectability" is a lure to the unsuspecting; the more respectable the more seductive, for the guileless are ensnared to their ruin. It is even said that the hopelessly infatuated are in many instances warned away by the authorities; but the uncharitable doubt if any are thus saved whose purses are heavy with coin. The existence of the bank is a presumption of inhumanity. If manliness were respected it would not be there. The object is to take advantage of the glamour which hangs about the mere possession of wealth, and which dimly foreshadows the celestial prophecy of the ultimate sovereignty of man over his circumstances.

Our attempt to get at the *rationale* of gambling would not be complete if, in addition to the considerations above suggested, the predominance of passion over principle, the abhorrence of labor, the fascinating illusions of wealth,—was not added the charm of the unknown. The belief in chance, in luck, is proof against argument. Fortune is still a goddess, and to her shrine throng the devotees of pleasure. The number of people who hang about the confines of the hidden world, and play with the dice-boxes of destiny, is amazing. There is a morbid curiosity to peer into the secrets of Fate and to get the start of Providence. Hence the licensed lotteries of Europe. The Italian government has no more power to abolish lotteries than the Spanish government has to abolish bull-fights. The populace will have them, because, although the bank largely wins, any individual ticket may draw a fortune. Nobody knows what may chance. The lucky winner becomes rich by the turning of a wheel. The loss may be trifling, the gain is in most cases enormous, and hope makes the scales hang even, if anything inclines the beam toward success. The holder of the ticket takes every precaution to get the powers of luck on his side, and very wonderful these precautions are apt to be. The border land of Providence is occupied by superstition. The region of the unknown is a region of marvels. The wildest anticipations may prove to be the most promising. Nothing is so likely to befall as the improbable. The laws of reason being suspended, miracles are looked for as events of course. Where knowledge and skill are at fault, the most random guessing becomes sound

philosophy. The gambling-room is a nest of superstitions, which show what devices are resorted to by the artful dodgers, who prowl about hoping to meet deity on the blasted heath and surprise him into surrender of his power. One notes the day of the month, and puts his coin on the corresponding number of the table; another takes the number of the cab which brings him to the casino, regarding that as a talisman; a third accepts as an indication the figure marked on his entrance ticket, as if that were sure to bring luck; a fourth is content to follow the guidance of the painter who numbered his chamber at the hotel where he lodges. No Roman augur was ever more diligent in watching for signs and omens. He consults wizards and soothsayers. A sporting character, visiting Monte Carlo, sent to Paris for a pair of trousers, which hung in his wardrobe, of a particular pattern that had been described to him as lucky. One of these madmen brought with him a spider shut up in a box with a glass cover, the bottom of the box being painted half in red and half in black. The color the spider staid on was chosen as the fortunate one. Before laying down his gold pieces, he examined his insect to learn where he should place them. No sailor at sea, no savage in the wilderness, no necromancer or alchemist or seeker after the philosopher's stone, was ever more credulous.

The sense of mystery is enhanced by the contrivances with which professional gamblers surround their trade. The slow revolutions of the wheel, the swift movements of the ball which, spun by the operator's hand, leaps from side to side of its narrow channel, turns, dances gayly along, coquettishly tapping the rim as it goes, till, spent at last, it stumbles over the silver barrier and drops into the predestined square, are fascinating to the eye. The long table, with enigmatical lines, figures, words, spots of color, squares filled with even and uneven numbers, spaces stamped with terms of magical import,—*pair*, *impair*, *manque*, *passe*,—assists the illusion. The apparently lawless arrangement of numbers on the circle of the roulette, the distribution of numbers to the red or black colors, the varieties of possible combination, the seeming capriciousness of the rules which regulate the winner's gains,—certain deposits bringing thirty-five times their amount, certain others bringing seventeen times, eleven times, eight times, twice, simply the amount pledged,—increases the mystification. An intelligent looker-on,

ignorant of the technicalities, is for a long time unable to discover why the player wins or loses—why the bank pays so much to this one, so little to that one. The habitual player finds in these manifold combinations so many provocatives to his fantastical ingenuity. The realm of the possible is of indefinite extent, and is fringed on all sides with marvel. In *trente-et-quarante* the same effect is produced by the unaccountable succession of the cards, their number, the ceremony attending their shuffling, arrangement, selection; the cabalistic aspect of the board; the squares, triangles, void expanses of color; the outlandish terminology of the game,—all conspire to deepen the impression of mystery. The routine is easily mastered, but the species of glamour which surrounds it is probably never quite destroyed. Superstition is sensitive, and the mere sight of the most familiar signs may be enough to stimulate the sense of mystery in untutored, passionate minds.

Gambling is a mania, a rage, an irrational, instinctive impulse, like drunkenness or any other nervous excitement, only more deeply rooted, founded upon a greater number of supports, associated with a larger variety of vicious indulgences,—drinking itself being only one,—and laying a more comprehensive grasp on the imagination, more difficult, therefore, to eradicate than inebriety or the social evil. All attempts to suppress it have thus far been vain. In the reign of Louis XIII. forty-seven gambling-houses were closed in Paris; yet Louis XV. was fond of play, and indulged in its excitements. The Directory undertook to repress the license of gaming which had broken through all barriers. Yet, under the Consulate, we find a chief of administration farming out the gambling resorts of the metropolis as a measure of police. Under the Revolution the municipality of Paris dealt energetic blows at the practice, and at last, in order to restrain excessive license, and also to prevent money from leaving the country, the system of public responsible casinos was authorized. In 1836, after long debate in the Chamber of Deputies, the public institution of gambling was prohibited by law. The decree was put in force the following year. From that time dates the rise and popularity of the German watering-places. M. Benazet betook himself to Baden. M. Blanc, with the aid of a brother, set up a rival establishment at Hombourg. Yet there is said to be more gaming in France than ever. The prohibition of public play did not have the effect to diminish the number of

players. For one regular and regulated establishment many irregular and unregulated establishments, more or less fashionable, more or less vulgar "clubs" or "hells" have sprung up. The fashionable are winked at by the police, the vulgar protect themselves by wearing some species of disguise. The German government sets its foot on Hombourg, yet the time was, it is said, when the most orthodox king of Prussia had no conscience against the practice which in his old age he denounces. The English are reputed to be an exceedingly moral people, yet the English are in great force at Monte Carlo, and have, if dame Rumor speaks but half the truth, an indisputable social warrant for their participation in the sport. In fact, public gambling is forbidden by nearly every government in the civilized world, but private gambling is carried on in every city, accompanied by circumstances of extravagance, frenzy, recklessness, and heartlessness which the public establishments rarely exhibit. Still, though the progress of extermination is slow, it is perceptible. That the practice of gambling is put under a social ban; that law proscribes it; that public opinion assails it; that the moral sentiment of every community condemns it as a vice; that it skulks from corner to corner; that it apologizes for its existence, shakes off its disreputable associations, shelters itself behind respectability; that no person who values his reputation will have any connection with it is already a gain. The crusade against Monte Carlo deserves to succeed, for the casino there, aside from its intrinsic turpitude, poisons the social atmosphere of the delightful Riviera, makes Mentone a resort for adventurers, exasperates the evil propensities of Nice, and infects even such distant spots as Cannes on one side and San Remo on the other. Should it fail, that shore of the Mediterranean will be shunned by high-toned people. But should it triumph, the pestilence will simply be driven elsewhere—to curse some other portion of God's earth.

The truth seems to be that the practice will have to be outgrown by the gradual elevation of mankind above the infatuations of passion. Nothing short of an increase of moral feeling, or of merely prudential feeling, will extinguish the insane fury. As intemperance disappears by degrees,—the better classes renouncing it, the more fiery spirits giving place to wines, the heavier wines being succeeded by lighter, these being drunk in less quantities, and finally passed by without remark, till taking vinous stimulant in excess becomes disgraceful,—so will the

practice of gambling cease by the accumulating pressure of enlightened minds. Already the power of an industrial age is acting on the old semi-barbarous romanticism in which the system has its roots, and will at last put an end to it, along with other forms of sentimentalism.

As I watched the players at Monte Carlo, it was evident that the temper which animated Hombourg and Baden-Baden in the days of their fame, had sensibly declined. A different class of people crowded about the tables. The habitual gamesters were there, of course—the adventurers of either sex; men and women greedy, unprincipled, luxurious, dissipated; fortune hunters, tricksters, dissolute idlers. Small proprietors, unsuccessful traders, vagabond functionaries, briefless barristers, doctors without patients, nobles without wealth, people of too much leisure, the restless, the unstable crowd the rooms. But the excitement, the rage, the fury are confined to a small number even of these. Ruin is infrequent; suicides are rare. A cautious, shrewd, business air is conspicuous. Many a sober citizen goes in from curiosity, puts down two or three napoleons, loses or gains, and goes away satisfied. He has bought his experience, and is in no danger of repeating the trial. It is one of the amusements of an idle hour. In hours of business it never occurs to him to risk money on the rolling of a ball, or the turn of a card. The establishment at Monte Carlo depends largely on this class of straggling and good-natured vagabonds, who smile at their traveling adventures, but belong to an industrial age nevertheless, and, honestly or otherwise, earn the money which they claim the right to squander as they please. This commercial, thrifty, unpoetical, common-sense, calculating spirit makes gambling ridiculous, if not contemptible. It will excite no abhorrence of it as a form of baseness. That comes with a much higher quality of intelligence and refinement. It is a step, however, though a short one, in the right direction, and should be welcomed as one of the agencies which lift man out of the degradation of passion into the self-command of a rational being. Spiritual earnestness works more rapidly and more thoroughly, but for the present it works less comprehensively and less steadily upon great masses of people. It is true that large cities like New York, Chicago, San Francisco, abound in gambling saloons; but adventurers will always flock to cities, and especially to the most imperfectly regulated cities. Civilization means order, and order is at war with

impulse in every form. With the reign of law passion slinks away into corners and becomes disreputable. This is the first stage of its dissolution. The reign of law is, without doubt, extending as well in America as in Europe. The dominion of passion is shrinking, and must shrink, more and more, until its end comes. The simplest kinds of impulse will first come under control; the more complex, like gambling, may yield more slowly, but yield they must.

O. B. FROTHINGHAM.

THE REMUNERATION OF PUBLIC SERVANTS.

As far as its literary merits are concerned the "United States Official Register" is not worth much of a review; but from its solid mass of information it is possible to cull a few very instructive facts. In it are recorded the salaries of the servants of the public, and as a man's pay is justly regarded as a measure of the esteem in which his kind of service is held, the instruction which the simple republican citizen derives from the Blue Book will not be entirely unmingled with disappointment.

Of all of the grand divisions of the public service, that complex gathering of bureaux, the Department of the Interior, is most intimately connected with our people. As its name implies, it is the guardian of the nation's domestic interests. Through it the inventor secures the reward of his genius, the miner a title to his claim, and the settler a patent for his homestead. It cares for the Indian, and pensions the soldier. It watches over the progress of education, and, through its census, it notes the country's advance in its thousand grooves of industry and discovery. One would suppose that, in order to find and keep men worthy of the important trusts of this department, salaries more liberal than common would be paid to a full corps of officers. The Interior Department has one assistant secretary, at three thousand five hundred dollars a year; the State Department, which is the representative of the ceremonial, as the Interior represents the industrial interests of the country, is served by three assistant secretaries, one at four thousand five hundred dollars a year, and two at three thousand five hundred dollars each. In this connection it should be remembered that the Interior Department is in the full blast of active operations, and that the Department of State, in common with the War and Navy departments, may be said to be on waiting orders, awaiting some possible complications with the outside world, and

woe betide the energetic secretary who shall disturb its repose or depart from its established programme of how not to do it.

It is difficult to conceive the unimportance of the duties of our ministers plenipotentiary to the countries of South America. In times of quietude they are but little more than pensioners, whose pensions are unnecessarily embittered by an exile to an unhealthy latitude; in times of trouble, and in the unexpected emergency of a demand for diplomatic talent, they are speedily superseded by the special agent in diplomacy, a person who will always be found necessary and amply sufficient to attend to our foreign affairs. The least of these ministers receives a salary of ten thousand dollars a year. Our delegates to the monetary commission at Paris were statesmen appointed for a brief period to study, discuss, and regulate so important a subject as the world's finance; they were allowed five thousand dollars a year. The members of the tariff commission, upon whose report the commercial condition of the country is so largely dependent, and whose duties are worthy of the closest attention of the most able economists and business men of the nation, are paid ten dollars a day. But, it is always pleaded when a man is requested to leave his private affairs and do a particularly difficult piece of work for the Government at a merely nominal salary, that he should consider the honor of the appointment. Granted that work is honorable, and that therefore the tariff commissioner is more to be respected than the foreign minister; but why should not the useless official take his pay in honor as well as the useful one?

It is hardly to be disputed that the soldier did more hard work and hard fighting during the late war than the sailor, and yet, in matters of promotion, retirement, etc., the navy is treated more liberally than the army. Indeed, Congress has not yet finished awarding prize money to the navy for property destroyed at that time. A like equivalent to the army would make millionaires of some of our private soldiers.

Much has been said about the iniquity of the Indian agent, and much injustice has been done to a class of men of whom only a very small percentage have been found corrupt. The position of Indian agent is no sinecure, nor is his responsibility a light one. In the community of barbarians to which he is sent he is president, judge, law-giver, banker, commissary, teacher, friend, and a hundred things more. He should be brave, honest,

just, and wise; diplomatist and philanthropist in one. From Penn down to Meeker his has been a post of exile, danger, and discomfort — and his reward is, what? Contumely and an average salary of less than fifteen hundred dollars a year. Meanwhile, the average salary of our secretaries of legation is upward of twenty-one hundred dollars a year. The Indian agent, who stands between the settler and the savage, and who is a legation in himself, is given rank below the expert in epistolary etiquette, whose main business it is to observe a proper distinction between Honorable and Right Honorable, His Grace and His Highness.

For the single item of rear-admirals on the retired list, the country pays more than twice as much as for all of the sixty-five Indian agents who figure so largely in the administration of our affairs. There are forty-three rear-admirals on the retired list of the navy, receiving salaries of forty-five hundred dollars a year. In return for this handsome pension they do nothing, which is even less than the duties of the rear-admiral in what is politely termed active service. The head of the Indian Bureau, the Commissioner of Indian Affairs, is paid only thirty-five hundred dollars a year, which is the salary of each of the ninety commanders in the navy.

It is evident that an honest and capable business man, with the necessary executive power, cannot afford to lose himself in an Indian camp and deny himself and family the blessings of civilization for fifteen hundred dollars a year. He may make the sacrifice from motives of philanthropy and a desire to benefit the Indian; he may be an ethnologist, who wishes to study the habits of savage tribes; he may be a lover of nature, tired of the trammels of society; he may be an artist, a hunter, or a gold-seeker, to whom the annual stipend is of secondary consequence; but it is not safe for the Government to rely upon these rare classes of men in its care for the national wards. Governments, as well as individuals, cannot learn too soon that any persistent and systematic attempt to secure services for less than they are worth, will result in final loss, either to the public purse or the public reputation. No one knows better than our members of Congress that we have a large floating population of unscrupulous place-hunters, who see in every public office a "soft snap," who consider it an exploit to "beat" the Government, and who are indifferent to the salary attached to an office if the "pickings" are only good. To such men an Indian agency

means sudden wealth,—to be followed perhaps by an outbreak and massacre.

To manage its vast landed and mining property the Government has a real estate agent, known as the Commissioner of the Land Office. Under his direction many millions of acres are surveyed, classified, and disposed of every year. Railroad grants, ranches, homesteads, mining claims, swamp, timber, and desert lands, all come under his jurisdiction. His salary is four thousand dollars a year, a fair remuneration for a dealer in corner lots or western town sites. Heads of divisions in his office, men grown gray in the service, who have faithfully and judiciously handled the interests of the people to the extent of millions and millions of dollars, and who are so overworked that they scarcely have time to read the daily paper, with its standing joke about the idleness and easy times of the Government clerk, receive eighteen hundred dollars a year. As one of the objects of this writing is the comparative compensation of public servants, it may be observed in this connection that a "messenger, acting assistant door-keeper" of the Senate gets the same pay of eighteen hundred dollars a year; the acting assistant door-keeper gets two thousand five hundred and ninety-two dollars; and, to carry the comparison still further, a captain in the army receives, barring allowances, eighteen hundred dollars per annum, the same as the politician's friend who opens and shuts the doors of the legislative chambers. "I had rather be a door-keeper in the house of my God, than to dwell in the tents of ungodliness."

Nations, like individuals, have their peculiar traits of character. One does not have to go abroad to learn that the United States owe their principal fame to the industrial enterprise and inventive genius within their borders. Whatever we may be in war, diplomacy, and commerce, we are preëminent in those arts of peace which bring comfort to the home and leisure to the weary. The foreign idea of a Yankee is a working-man, who harnesses the forces of nature to do his labor for him; or an idle man, who whittles a stick and develops a machine; or a thoughtful man, who trains the lightning to run his errands. Our collection of machinery was the world's wonder at the Philadelphia Exposition, and the Patent Office at Washington is a permanent machinery hall.

In pure self-defense the Government has been obliged to treat the Patent Office more liberally than the Land Office, else its

officials, after a few years of the valuable experience obtained there, would go over to the enemy and become patent attorneys, and plead the inventor's case. Even now it is common talk in Washington that the chair at the head of that bureau is principally desirable, not for its salary of four thousand five hundred dollars, but on account of the education in patent law that it affords its occupant, and because it confers the privilege of writing "Ex-Commissioner of Patents" upon his business cards when he resigns, and, so to speak, leaves the garrison to join the beleaguering force.

In a city where examinations for entrance into the public service are too often a blind to cover the appointment of the predestined successful competitor; the standard for success being established low enough to include the favored one, the examinations for admission to the Patent Office corps are believed to be an exception to the rule. As far as the outside world can learn, these tests are fair and impartial, and the best man wins; and since the politician is not usually proficient in mechanics, chemistry, physics, and the kindred branches in which the official must be at home, this bureau is especially free from the canker of political influence. If we search our public service from Maine to California, we do not find an opportunity equally good for the young man of merit and industrious habits, and the special education necessary to secure the appointment. It is, in fact, the only chance afforded the graduates of our numerous technical schools to devote their talents to the country's service and receive a fair compensation for the same. As the Patent Office is especially a reflex of the genius of our republic, so is its administration arranged upon the republican basis of a fair field and no favor.

The pay of the lowest grade of patent examiners, into which the novice enters, is one thousand four hundred dollars a year. From this, by successive promotions, he may at last become one of twenty-four principal examiners, at two thousand four hundred dollars a year, or, if he have great success, one of three examiners-in-chief, at three thousand dollars. The commissionership, at four thousand five hundred a year, should hardly be included in his aspirations, as that office is generally given as political reward.

While very little is popularly known concerning the pay of public servants, it is generally the thoughtless verdict of the taxpayer that, however small such compensation may be, it is prob-

ably much more than is earned. Let us see. There is one branch of the service with whose pay the people are familiar. This is the army, the salaries of whose officers are, according to common voice, quite insufficient. So well is this fact known that in our romances, with military lovers—and their name is legion—one of the most serious obstacles which the novelist has to overcome, in common with cruel guardians, false friends, perfidious rivals, lost wills, and the like, is the proverbial impecuniosity of the hero. "He is awful nice," drawls the languid society belle, "but then he is *so* ineligible." Indeed, we have it from so good an authority as the General of the Army himself, that a second lieutenant should never, on account of his scanty means of subsistence, indulge in the divine right of marriage, a right which is open to the poorest laborer and the smallest farmer.

Now, a second lieutenant in the army, at his appointment, receives a salary of one thousand four hundred dollars a year, to be subsequently increased at least every five years; he also gets his house-rent, liberal mileage for travel, medical attendance and full pay in time of illness, and other incidental benefits; and in his old age, or in case of permanent inability, he will receive three-quarters pay on the retired list. The third assistant examiner in the Patent Office, filling the very best position open to any young man who, depending on his ability and usefulness alone, desires to enter our civil service, as it is called outside of Washington, is paid, as heretofore said, one thousand four hundred dollars a year, without perquisites; and this sum seems like riches to the beginners in the other departments, working as they do, for from four hundred and eighty dollars to nine hundred dollars a year. The difference between the two classes of officials just compared is that all men graduated from West Point become second lieutenants, while the twenty-four third assistant examiners are chosen, a few each year, by competitive examination from the hundreds of other institutions of learning in the land.

If it is decreed that the second lieutenant is too poor to marry, what will be the solitary fate of the assistant examiner, and to what a long life of celibacy must the aid in the Coast Survey look forward, as, in his cheerless home in the garret, he burns the midnight oil in adding stores of knowledge to the university education which has already cost him years of study

and thousands of dollars, and for the use of which our Government, sometimes known as the especial patron of education, pays him the sum of from thirty-five to seventy dollars a month? An objection to the proposed reform in the civil service is that, according to the plan, admission shall be only through the lowest grade, and the pay of this grade will be so small that young men with consciousness of any innate power will be deterred from entering. It is hardly wise for a person with native good sense and a liberal education—and, in spite of what the spoilsmen say, such men are really needed—to serve a long apprenticeship as a "copyist," or an "acting sub-assistant" on Government work, when the wide world, with its rich variety of promises, lies before him, like an oyster, to be opened.

In order to take the last census it was necessary to organize a corps of more than thirty thousand faithful and intelligent men. This force, considerably larger than the army of the United States, took the field on the first of June, 1880, and, each enumerator acting under separate orders, they visited every family in the land, traveling every road and trail within its limits, and numbered and described all of the people, of whatever class or condition, inventoried their wealth down to the smallest detail, and noted the activity, change, and development in our civilization during the last decade. The organizer and commander of this army, the Superintendent of the Census, receives, for working days, nights, and Sundays through the brief two or three years that the Census Bureau is allowed to exist, the sum of five thousand dollars a year.. The humblest Congressman, serving his country as a claim agent, pension agent, and office-hunter for his constituents, gets the same reward from an indiscriminating people.

A number of the census force were selected from the very first rank of our educated men, being chosen for their familiarity with certain special subjects, upon whose history and statistics they have reported. The maximum pay allowed them was six dollars a day. This is very good for a mechanic, but it is hardly the remuneration that a government pretending to be a patron of learning should offer to its most learned citizens; a clerk to a Congressional committee which never meets gets six dollars a day. But, little as was the reward of these special agents, it seemed like munificence to the lower grades of the Census officers, many of whom will remember their term of service in that bureau

as business men remember a time of financial panic, or the Egyptians looked back to the years of famine.

In the architect's office of the Treasury Department there is one civil engineer who is paid ten dollars a day. At the various navy yards upon our coasts there are ten of this profession. These are selected by competitive examination, and receive salaries ranging from two thousand four hundred to three thousand five hundred dollars a year and allowances, according to length of service. In the War Department there are between two and three hundred civil engineers, engaged upon internal improvements, geographical surveys, etc. Among them are to be found graduates of all of our engineering colleges, and others who have learned their profession in the no less efficient school of long practice. In order to make the position of a few of them more desirable, a resolution was introduced into the Senate, March 19, 1867, authorizing the employment, for the improvement of western and north-western rivers, of several civil engineers, not to exceed five in number, at a compensation not to exceed three thousand dollars per annum. The distinction of appointment under this act carries with it a monopoly of the title of "United States Civil Engineer," a salary which, low as it is, is greatly above the average pay of other civil engineers in government employ, and that feeling of security which comes from a tenure of office which, at least, approaches permanency. The passage of this measure was opposed by Mr. Sherman in the following words:

"This resolution provides for giving these persons the pay of a colonel of engineers. What is that? That is a way of fixing compensation that I thought we had abandoned some years ago."

Perhaps the distinguished speaker thought that a colonel of engineers is a man who, one of a thousand, is in command of a regiment of civil engineers. At any rate he was mistaken, for the pay of a colonel in the army ranges from three thousand five hundred dollars to four thousand five hundred dollars a year, with abundant allowances. Even if his words were true, where would be the impropriety of giving a man, at the head of a profession which is generally understood to be lucrative, the salary of a middle grade of the poorly paid army? That men at the head of the engineering profession have served their country under the provisions of this law, is proved by the name of W. Milnor Roberts, who, certainly from no mercenary motives, acted in this capacity for a time. The members of his profession

do not need to be told who Milnor Roberts was, but some of the general public, who hear less of their scientific men than of their statesmen, may not be so well informed. To such I can perhaps most effectively convey the information by saying that, after a long life of honorable work in his own country, where, among other important trusts, he was chief engineer of the Northern Pacific Railroad, he was called to the Brazilian service—improvement of rivers and harbors—at a salary of twenty thousand dollars a year. For similar work, our Government, overruling Mr. Sherman's objection, paid him three thousand dollars a year. There is a wide difference between Congressional economy and political economy.

A young officer of the army, engaged upon the improvements of the Hudson River, once made a report, in which the following words are found:

"I have tried the plan of taking young graduates from the Rensselaer Polytechnic Institute at Troy, and am well satisfied with the results. These young men are anxious to gain practical knowledge, and are willing to work hard for their pay, and their work is accurate and thorough."

Thus writes the graduate of West Point, who received a salary while studying, of the graduate of Rensselaer, whose education cost him a large sum of money. The services of the latter individual are undoubtedly as useful and necessary to the country as those of the former. Then why—the people of the United States will naturally inquire—why in the name of Heaven and a republican form of government, should one of these public servants ask, expect, or even permit a fellow-servant, whose "work is accurate and thorough," to "work hard for low pay," which probably means enough for his board? If such a system of labor and reward shall ever be necessary in this country, it should be announced in tones of regret and not of gratification. Far better would it sound to say that the engineer worked hard, accurately, and thoroughly, for good pay, and that the Government had thus canceled a just debt. It may be a shame to our public service that so many of our officials get more than they earn, but a still greater shame is ours when any one earns more than he gets. The former affects the public purse, the latter dims the public honor.

In happy contrast to the report just quoted from, the writer could mention instances of other engineer officers who, in mak-

ing engagements with civil engineers, have upheld the dignity of the Government by asking "What is he worth?" instead of the mercenary question, "What can we get him for?" which is ready to take advantage of another's misfortune and profit by his loss.

The United States Senate is the finest body of men in the world. The House of Representatives is — well, in consequence of the last statement, it must be confessed that it is not the finest body in the world. From the House to the Senate is an acknowledged promotion and an advancement most eagerly prized. The latter is the cream of the former, a large proportion of its number having served their legislative apprenticeship in the House, before being called up higher as a reward for faithful work. No increase of salary, however, accompanies this promotion, and unless the House is overpaid, which none but the demagogue will maintain, the Senate receives too little. It would not be hard to demonstrate that men of their caliber, turning their talents in other directions, could average a salary of twice five thousand dollars a year, but such a demonstration would not be worth the while; the question of their remuneration is their business, not ours.

In some instances Congress is more liberal to its friends than to itself. While five thousand dollars a year is the salary of both senator and representative, the Secretary of the Senate gets six thousand and ninety-six dollars, and the Clerk of the House is paid five thousand one hundred dollars a year. Even the reporters of Congressional debates get five thousand dollars a year, the same as the debaters themselves.

Salaries in Washington appear to be affected by local influences, and it is significant that those officials who have the most intimate relations with Congress — namely, the numerous retainers at the Capitol — are rewarded most liberally, thus exposing our legislators to the soft impeachment of taking good care of their friends — and perhaps their relations — at the expense of equal rights and eternal justice. To illustrate, let us take the position of messenger, that being an office common to all departments, and one for which the same order of talents is everywhere needed. In the Senate, which is in session only a portion of the year, the messenger gets fourteen hundred and forty dollars per annum; at the White House, the residence of the President, he is less fortunate, receiving twelve hundred dollars a year; in the executive departments, from seven

hundred and twenty to eight hundred and forty dollars; and so on down to the Census Office, the home of hard work, where he is paid from two hundred and forty to eight hundred dollars a year. As it has not yet been discovered that the messenger at the Capitol is any more intelligent, active, civil, or neat than his humble brother of the Coast Survey or the Census Office, the thought naturally arises that an equalization of salaries would not be out of order.

Notwithstanding all that is said about the extravagance and display at the national capital, Washington is really a city of low salaries, as will be shown by a comparison of the pay of officers in and out of that town. Thus, the Assistant Treasurer of the United States at New York receives eight thousand dollars a year; the Treasurer of the United States at Washington gets six thousand dollars a year. The Collector of Customs at New York is paid twelve thousand dollars a year; his superior officer, the Secretary of the Treasury at Washington, receives eight thousand dollars a year. The Postmaster of New York city gets eight thousand dollars a year; the Postmaster-General at Washington has no more; and so on. The above instances furnish a fair idea of the general salaries paid for intelligent service and business capacity in New York and Washington, or in private and public life. It may be gratifying to some people to learn that those whom they are pleased to term leeches upon the public purse do not grow so fat in that city of corruption as they do in places of a better reputation, and that Government pap is not, after all, the most nourishing of food.

When we were boys at school, we were told that the good alone are great, but a reference to the Blue Book has shown us that they do not by any means get the best salaries. We were also informed that industry, integrity, and probity were the keys that opened the door to success; neither is that statement verified in the volume before us. Another maxim from our juvenile copy-books is, that virtue is its own reward, and that is the only promise of our youth which seems to be fulfilled in the Government service.

True, perfection in the public service is not to be hoped for in this imperfect world. As long as human nature remains what it is, fathers will continue to overrate the value of their sons and nephews, and we shall have nepotism; and the grand dames of our republican court will feel a tender regard for their pro-

tegés, and there will be favoritism. Other things being equal, handsome women and agreeable men will be chosen over the homely and taciturn, and the official with a distinguished patronymic and fashionable wife will distance the bachelor without pedigree. Even under the inflexible rules which govern, or are supposed to govern, advancement in the army and navy, a man's promotion does not depend so much upon his own excellence as upon the death or retirement of some distant superior officer; and thus the main-spring of his ambition is broken. Granted all this, and still our Government service should occupy a plane very far above its present condition; and it is public sentiment, without which presidential proclamations and Congressional laws are dead letters, that is destined to work the needed reform. Some of these days public sentiment will decide that the man of influence, who quarters a worthless relation or constituent upon the Government, deliberately puts his hand into the national treasury and steals the exact amount of that official's salary. The spoilsmen claim that one man can perform the duties of a federal office as well as another. The public are beginning to see that the one man does *not* do his work as well as the other, and to realize that this difference is worthy of notice. Our students in school and college, and our workers on railway and farm, are now graded, promoted, and rewarded according to their industry and ability, and independently of their political beliefs or family ties; some day, please God and the people, the same system will be introduced into the Government service. Then it will be, indeed, an honor to have one's name in the Blue Book; the possessors of the finest talents and the highest ambitions will seek to be enrolled there; the capable applicant for office, unsupported except by his testimonials of merit, will not receive less consideration than the incapable office-seeker, with a State delegation at his heels; the useless will not then take rank over the useful; the etiquette of the State Department will not be considered of greater importance than the sciences and industries of the Interior; in times of peace the arts of peace will receive as much encouragement as those of war; the disabled civil servant will get at least a tithe of the pension now given to the hale and hearty retired rear-admiral; and then we shall be in fact, as well as in name, a republic.

FRANK D. Y. CARPENTER.

ARTESIAN WELLS UPON THE GREAT PLAINS.

A LARGE part of the soil upon the great plains east of the Rocky Mountains is, in composition and character, similar to that of the prairies of the States which border upon the Upper Mississippi; and that it needs only the seasonable application of water to make it quite as fertile as the prairies, has been demonstrated in various places by irrigating it with water taken from the rivers. Those plains are not the barren sandy desert, worthless for all human uses, that some have supposed them to be. Although they are much too arid for the growth of cultivated crops without irrigation, there is almost everywhere a scanty, but, in the aggregate, abundant growth of most nutritious grasses, beside a considerable variety of other herbaceous plants. These grasses are not annuals, that come from the seed with the early spring vegetation and become mature before the drought of summer should destroy them, but they are perennial, retaining their vitality not only through the winter like all perennial plants, but through the severe test of the summer drought also. These are the grasses that, only a few years ago, supported the immense herds of buffalo that roamed over those plains, and that now support herds of domestic cattle which, although large, amount to only a tithe of the numbers that might subsist upon those grasses if water for them to drink were everywhere conveniently available.

The spaces between the rivers of the plains are, as a rule, wholly destitute of water in summer and early autumn, the smaller streams that flow there at other portions of the year being dry then. Some of those spaces are so broad as to make them practically impossible to traverse without an artificial supply of water during that portion of the year. To make these broad lands available for grazing purposes, it has been proposed by different persons to procure the necessary water by boring artesian wells;

and others, more hopeful of procuring abundant water from such a source, have proposed that those lands should be thus irrigated for cultivation.

This question has been to some extent publicly agitated for nearly thirty years. In 1854 Professor Jules Marcou, then geologist to the United States Pacific Railroad Surveys, suggested the practicability of obtaining water by means of artesian wells upon the Llano Estacado of New Mexico. Captain John Pope, of the same surveys, strongly urged, in his report of the following year, that practical tests of the question should be made by boring at various localities. An appropriation from Congress having been secured, the enterprise was undertaken under the direction of Captain Pope, and several borings were made in that region, all of which were failures so far as procuring a flow of water at the surface was concerned. Water was reported to exist there, but it did not rise in the borings, and the whole enterprise was therefore abandoned.

In consequence of the failure of these experiments, comparatively little attention was given to the subject until the successful boring of many artesian wells in California, and the reported similar success in some portions of the Desert of Sahara, again drew public attention to the subject of artesian wells upon the plains east of the Rocky Mountains. In 1880 an appropriation was made by Congress for the purpose of boring experimental wells upon those plains, and the expenditure of the same was placed under the direction of the Commissioner of Agriculture. Under this act, Commissioner Le Duc located one of the wells which it provided for, in the valley of the Arkansas River, near Fort Lyon, Colorado. Many accidents and vexatious delays occurred in the prosecution of this work, and in the autumn of 1881, after reaching a depth of about eight hundred feet, it was abandoned by order of the present Commissioner of Agriculture. The cause of the suspension of this work was the exhaustion of the appropriation, and the report of a commission of geologists that had been appointed to make an examination of the region within which that boring was located, that the location was, in their opinion, an unfavorable one.

Beside these enterprises that have been undertaken by the Government, a number of borings have been made in the plains east of the Rocky Mountains by private persons and companies. Two borings have thus been made at Pueblo, Colorado, from

both of which a good flow of water was obtained at a depth of about twelve hundred feet. One has been made at Denver, Colorado, about eight hundred feet deep; one at Cheyenne, Wyoming, about nine hundred feet deep; and one at Carson Station, on the Kansas Pacific Railroad, said to have been thirteen hundred feet deep; all of which were unsuccessful. Various other borings, from fifty to one hundred feet deep, have been made at different places upon the plains, by parties in search of coal, or for other purposes, all of which failed to produce any considerable flow of water at the surface. It will thus be seen that of all the borings which have hitherto been made upon the great plains, only two have been successful, and both of these are located at Pueblo, Colorado. It is true that, in view of the great extent of the region over which these borings are distributed, and the varying conditions of the strata in different districts, even this large proportion of failures does not prove that similar failures will be the rule elsewhere. This proportion is too great, however, not to excite serious misgiving as to the result of future enterprises of this kind, without at least a change in the methods which have hitherto been pursued. It is claimed, and no doubt correctly, that there were local or special reasons why a portion of those enterprises resulted in failure; but there can be no doubt that certain conditions exist in that region, which are so general in their character as to materially affect the question of success or failure of all enterprises of this kind that may be undertaken there. It is the bearing of these conditions upon the general question which I propose to discuss briefly; but, before doing so, it will be necessary to state what those conditions are.

For the purpose of being explicit in the statements I shall make, they will be confined mainly to the region which I have personally examined as a member of the geological commission that has already been referred to—namely, to that part of Colorado which lies east of the eastern base of the Rocky Mountains, and to adjoining portions of Kansas, Nebraska, and Wyoming. How far these statements will be applicable to contiguous portions of the great plains, the reader will be able to judge. The general subject to be discussed in this connection may, for convenience, be divided under three heads—namely, topographical features, geological structure, and meteorological data.

The general aspect and character of the surface of the great plains is much like that of the prairie region which lies to the

eastward of them, with which, indeed, they are continuous, and would be identical, were it not for the aridity of the climate which prevails there. They are, however, more elevated than any portion of the great prairie region, the general rise from the neighborhood of the Missouri River to the base of the Rocky Mountains being constant, but so gentle as to be imperceptible to the eye. Roughly stated, that portion of the great plains which is especially referred to in the following discussions has an average elevation above the level of the sea of between four thousand and five thousand feet. The principal chain of the Rocky Mountains, composed of a compact mass of crowded peaks and gorges, rises upon its western border almost as abruptly as a wall, except that it is bordered by a narrow fringe of foot-hills; while even the higher peaks, some of which are more than fourteen thousand feet above the level of the sea, do not reach an elevation that in full exposure to the influence of the sun would be above the true line of perennial snow-fall in that latitude. Snow is always present there—that is, numerous small snow-fields, some of which have an elevation as low as nine thousand feet above the sea, remain the whole summer through, in the less exposed places among those mountains. From these numerous small snow-fields, and the comparatively abundant rains that fall upon the mountains in summer time, a multitude of small streams arise. These streams find their way out upon the plains, where they quickly unite to form the Arkansas and South Platte rivers respectively, both of which traverse the plains in an easterly direction. These mountain-born streams are constant in their flow the whole year round, but the tributaries of the two rivers named, which have both their rise and *débouchement* upon the plains, flow only during the cooler months, and are dry, or nearly so, during the summer and early autumn.

The geological structure of this portion of the great plains and of the adjacent mountains is very simple, and it may be readily understood by those who are not geologists. The mountains are almost entirely composed of archæan unstratified rocks, which are mostly of coarse, irregular texture, and similar to the granites in composition. The plains are underlaid by six or seven separate formations of stratified rocks, which lie in successive order upon each other, and extend like broad sheets beneath the whole district, the whole being covered as with a

mantle by the superficial deposits of the plains. These formations range in geological age from the Tertiary to the Triassic inclusive. They have an aggregate thickness near the mountains of about eight thousand feet; but they evidently thin out rapidly to the eastward, so that borings would pierce them at a less depth in the eastern part of the district than in the western. The whole series of these strata is flexed up abruptly against the mountains, and their upturned edges enter largely into the structure of the foot-hills there. The lowermost formation of the series is there seen to rest directly upon the archæan rocks; but, whether beneath the plains other formations intervene between the archæan rocks and the lowest group of the series of stratified rocks just mentioned, is not known. This, however, has little practical bearing upon the question of artesian water-supply, because it is believed that, if water should not be obtained in the Triassic formation, the probabilities for success by deeper boring are not encouraging.

The three uppermost of these formations, or groups of strata, which are known as the Laramie, Fox Hills, and Colorado groups respectively (the two latter being of Cretaceous age, and the former occupying an intermediate position between the Cretaceous and Tertiary,) are such in composition and character that they may be regarded as practically impervious to water. The fourth formation in the descending order is the Dakota Group, of the Cretaceous series. This is composed of coarse, rough sandstone, and being but slightly compacted, it is doubtless as pervious to water as any of the ordinary stratified rocks. The fifth formation, the Jurassic, is of an impervious character; and the sixth, the Triassic, is, in part at least, a pervious one. In view of the facts which are yet to be stated, it may be reasonably presumed that both these pervious formations are really water-bearing. In the Valley of the South Platte River the first of these formations has been removed by erosion, exposing the second. In that of the Arkansas, the first and second have been thus removed, and in a part of that valley the third formation has also been removed, exposing for a few miles the fourth, which has just been spoken of as a pervious one.

If borings were to be made upon the plains between the Arkansas and South Platte rivers in the neighborhood of the mountains, it is estimated that the first of the presumably water-bearing formations that have been mentioned may be reached

at a depth of not less that two thousand feet, and the second at from six hundred to eight hundred feet deeper. In the eastern portion of the district these two formations may probably be reached by boring at a much less depth, respectively, than in the western; because, as before remarked, the formations become thinner in that direction. Near the mountains, there are in this district some isolated Tertiary deposits not referred to in the series just described. These are of limited extent, and rise from one hundred to two hundred feet or more above the general level of the plains. They are nearly level, composed of coarse, pervious material, and are drier, if possible, than the plains around them.

In the Valley of the Missouri River the annual rainfall is quite sufficient for the purposes of agriculture; but the amount diminishes to the westward until the minimum is reached, upon the arid plains. The various ranges which constitute the Rocky Mountain system are surrounded on all sides by arid lands, but the rainfall upon the mountains themselves is much greater than it is upon the plains and broad intervales around them. The following data illustrate these facts so far as they bear upon the subject in hand. At Omaha, Nebraska, the mean annual rainfall is thirty-six and a quarter inches; at North Platte, Nebraska, eighteen and a half inches; in the whole of Colorado east of the Rocky Mountains, and in the adjacent portion of Southern Wyoming, an average of thirteen inches. Pike's Peak, only eighteen or twenty miles from the plains, has a mean annual rainfall of thirty-one and a half inches. The minimum mean annual rainfall that may be depended on for raising a farm-crop is understood to be about twenty-six inches; and in a region having no greater rainfall than this, disastrous droughts are likely to occur at longer or shorter intervals.

We have seen that the three uppermost of the formations which underlie the plains, having an aggregate thickness of probably not less than two thousand feet, are practically impervious to water. Because of this, and of the excessive dryness of the atmosphere during a large part of the year, which causes the evaporation of the scanty rainfall almost as soon as it is precipitated, none of that water can be expected to accumulate in the strata beneath. Beside rainfall, there is no other primary source of water-supply in all that great, elevated region. Therefore, any supply of water that may exist in the strata beneath the dis-

trict I am here considering must be derived from the rainfall that is precipitated, not upon the district itself, but upon the adjoining mountain district — that is, that supply must come from the water that falls upon the upturned edges of the formations at the foot-hills, and from that which constantly flows across them in the mountain streams that reach the plains. While, as is evident, the greater part of that water will flow off to the rivers, a part of it will soak down through the two pervious formations that have already been mentioned. The dip of all the strata being continuous to the eastward, it is plain that this water will, by gravitation, become widely distributed in the two pervious formations, and be held there by the impervious ones which overlie them respectively. If the latter are pierced by borings from the surface of the plains, the water which has thus been confined there will, as is well known, rise by hydrostatic pressure.

Now, let us consider the views that have been expressed by various persons, both publicly and privately, upon the subject of artesian wells upon the great plains. Some have expressed the opinion that those plains may be everywhere irrigated for cultivation by means of artesian wells; but they are mostly of the class who believe that "water may be obtained anywhere, if you only go deep enough." If such a result were possible, even in the most favored districts, the absurdity of the idea as applied to the district in question is apparent when it is remembered that the annual mean of the rainfall of this district, together with that of the adjoining mountain district which is drained upon it, is much less than the minimum amount that is necessary to raise a farm crop. Beside this, much the greater part of the annual rainfall referred to runs off by the rivers where, however available it may be for purposes of irrigation, it is not to be considered in connection with artesian wells. It is plain, therefore, that if all the wells that might be successfully bored in this district were in operation, it would not be practicable to irrigate more than a small portion of the land by that means.

But is it practicable to irrigate lands for successful farming by means of artesian wells? Perhaps the best accessible information upon that subject is contained in the report of the State Engineer of California for 1880, from which the following data are taken. Up to that time about one thousand wells had been bored in Los Angeles and San Bernardino counties, and too small

a number seem to have been bored in other parts of the State to receive especial discussion in that report. The deeper wells are five hundred feet, but the average depth is from one hundred and fifty to two hundred feet; average cost, four hundred dollars each; average discharge of water per well, 0.1 cubic foot per second. Experience there shows that it takes a flow of one cubic foot per second to irrigate one hundred acres of land. The average well will therefore irrigate ten acres, and the average cost of such a well will add forty dollars per acre to the original cost of the land. The greatest flow from any of these California wells is that of the Burlingame well near Compton, which amounts to 1.7 cubic feet per second; enough to irrigate one hundred and seventy acres. The water of those wells has been found suitable for agricultural purposes, but all artesian water is not so.

Let us apply the data furnished by the California wells to the subject of similar wells upon the great plains within the district under discussion.

The character of the superficial and Tertiary deposits within this district is such that it does not seem probable that any successful artesian wells may ever be obtained in them. If this judgment is correct, no wells are likely to be obtained in this district of as little depth as the deeper of those California wells that have been referred to. It has been explained that the uppermost of the two presumably water-bearing formations which underlie the district cannot probably be reached between the valleys of the Arkansas and South Platte rivers at a less depth than from twelve hundred to two thousand feet. The cost of a well of the lesser depth in this district need not, even under favorable circumstances, be estimated at less than six thousand dollars. If such a well should yield water at the rate of one cubic foot per second, an average result as favorable as can be reasonably expected, it would irrigate one hundred acres of land; but the cost of such a well would add sixty dollars per acre to the original cost of the land. These facts are certainly very unfavorable to the proposition to irrigate the soil of the plains for cultivation by means of artesian wells; especially when we consider the great risk of failure to get an adequate supply of water, if any at all, the risk of obstruction of the flow, and the probability that a greater depth than one thousand two hundred feet must be bored.

But why not go to the valleys, where the presumably water-

bearing formations are nearer to the surface? First, because the valleys are already well supplied with water; and second, because each of the two rivers that cross the district in an easterly direction runs upon an anticlinal axis; that is, the strata dip gently away from the river, both northward and southward, although the surface slopes toward it. This condition of the strata in the valley of the Arkansas is the probable cause of the failure of the boring made by the Government near Fort Lyon. The success at Pueblo, in the same valley, but near the mountains, is plainly due to locally favorable dips of the strata there, which are readily recognizable at the surface. The Arkansas and South Platte, each running upon an anticlinal, there is necessarily a broad synclinal axis or depression of all the strata between the two rivers, which, together with the easterly dip, will cause the gathering of any subterranean water that may exist there by gravitation. This is the reason why borings are recommended to be made there, although they must be deeper to reach those strata which, it is presumed, contain water.

These facts, opposed as they are to the hope of profitable irrigation of farming land upon the plains, do not necessarily prove that wells may not be profitably bored at many places there, to be used for other than irrigating purposes. A well giving no more than one quarter of a cubic foot per second would be sufficient to water large herds of cattle, beside supplying the wants of a small hamlet of people. There are many portions of the plains, bearing an abundant growth of grass, but distant from any constant supply of water, where the value of such a well would be many times greater than that of any well could be for purposes of irrigation alone. That many wells of satisfactory capacity may be obtained upon the plains east of the Rocky Mountains, there appears to be no good reason to doubt. Neither is it improbable that in the vicinity of some of the mountains there may be found districts where wells as numerous, copious and as shallow as those of California may be obtained. But the risk of failure has hitherto proved to be so great that no boring ought to be undertaken upon any portion of the great plains without the known results of a careful geological examination of the region by competent persons.

C. A. WHITE.

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Tros Tyriusque mihi nullo discrimine agetur.

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NORTH AMERICAN REVIEW.

No. CCCX.

SEPTEMBER, 1882.

POLITICAL ASSESSMENTS.

It is not easy to say which is the more remarkable, the capacity of usage for blinding us to its injustice and disastrous consequences, or the power of a bold arraignment of a great wrong, in the name of right and duty for causing that wrong to be detested.

There are now in New York prominent citizens, and among them a Chief Justice, who were foremost for a monument to William M. Tweed. Within this generation the conscientious founder of a great New York journal kept in his paper a standing advertisement declaring that his firm devoted itself "particularly to Lottery Printing." Those are not very old who have seen angry mobs threatening a noble Christian woman in New England villages for the crime of teaching negro girls to read. Tens of thousands in the South to-day denounce as wrong the peculiar institution for which they conscientiously fought and generations of their parents and pastors had devoutly prayed. Treating the institution as too sacred to be questioned, its votaries denounced those who challenged it as neither "manly nor honorable," as Congressman Hubbell now denounces George William Curtis for challenging "political extortion"* in the

* "Political Blackmailing" is the name given by several of the leading journals, and which is likely to stand in history.

form of political assessments. Not long since, cock-fights, dog-fights, and man-fights were a part of the standard amusements; and politics were as barbarous. In the fifteen hundred and sixty-five secular days preceding 1871, there were one thousand six hundred and seventy-eight removals in the New York Custom House to enforce assessments, or otherwise gratify the greed and savagery of partisans, with hardly more public attention than to the slaughtering of so many hogs. In the past four years not one removal has been made in that office or in the New York Post-office without good cause, and a repetition of the savagery of the last decade would make any administration infamous.

The "great Senator from New York," as his feudal dependents called him, was the arch-sneerer at civil service reform. While he now lies hopelessly mired in the spoils-system bog, Senator Miller, upon whom senatorial leadership has fallen in the Empire State, declares in a late speech, that "the conflict between the system of patronage and that of merit is as irrepressible as the old conflict between liberty and slavery," and predicts the early triumph of that reform. In Pennsylvania, the spoils-system chieftain, tottering to his fall, has brought his party to the verge of defeat; so that, in sheer desperation, his faction flatly condemn the assessment extortion through which alone it has long been filling its treasury.

In the Senate, of which, four years ago, there was not a member prepared to speak for civil service reform, and where the law under which General Curtis* has lately been convicted for collecting assessments was so amended as to leave the spoils of Senators unimpaired, the Pendleton bill, embodying the true principles of reform and condemning assessments, has just been approved

* At first there was an appeal for sympathy, but when it appeared on the trial (after the "Nehemiah" farce) that one from whom he took money had warned him that his conduct was criminal, all sympathy was impossible. His case reminds us of that of Mr. Freeman, a sub-attorney for the Post-office Department, and a disciple of General Curtis. He writes a gasconading letter, in which he decides a law of Congress to be unconstitutional. "A decent respect for the coördinate branches of the Government demands that the judiciary should presume, until the contrary is shown, that there has been no transgression of power by Congress," says the Supreme Court of the United States (Legal Tender cases, 12 Wallace, 531). Has Mr. Freeman ever considered whether that presumption which is decent in a Supreme Court may not be becoming even in a sub-attorney?

by a committee, of which a favoring member was Mr. Cameron's own colleague. Within two years, more than thirty reform associations, extending to nearly all parts of the Union, have been formed, which now support that bill.

It is such a time, when, as never before, thoughtful citizens are organizing against the spoils system, and the larger part of the best journalism of their party, and almost the whole literary and religious press are denouncing that system, which Mr. Hubbell and his Congressional Committee have chosen for forcing the most arbitrary, insulting, and degrading part of that system upon public attention. We do not question their zeal for the Republican party.* Their mistake and misfortune have been that they have counted on the blinding influence of usage without comprehending the significance of its arraignment.

When the mandate of this hydra-headed spoils system Cæsar, declaring that all the world of our civil service should bow down and be taxed, was met by protest, scorn, and denunciation, we doubt not the professed surprise of the committee was genuine. Disraeli has defined pluck to be an utter failure and inability to understand public opinion.

In Boston, only one journal of either party, we are assured, justifies the extortion; and in the State of Massachusetts not more than five per cent. of the Republican papers approve it. In Philadelphia, only one or two papers apologize or remain neutral, while the rest condemn the assessment. In New York City only one Republican journal of character—together with the organ of the lobbyists—stands for the committee. It would, however, be unjust to the committee to treat them alone as blind to public opinion. Most of our chieftains—called statesmen by their admirers—have shown as much blindness. Did the three chieftains who pushed on Grant to his fate at Chicago any better understand the feelings of the people? Has Mr. Conkling, in New York, or Mr. Cameron, in Pennsylvania, shown more comprehension of the public opinion of their States? But this is to be said to the credit of the committee's chairman, that he is the first to come before the public with apology and argument—feeble and ill-conceived as they have been. He justifies extortion from clerks and navy-yard workmen, by charging Democrats with bull-dozing

* And the writer wishes to say that he has voted with that party from its origin, and that he feels so deep an interest in its prosperity that he is all the more anxious to avert the danger threatening it from this committee.

and using tissue ballots. The excuse, however, is on a par with the boy's defense of his mother against theft, by proving that a rival woman across the street had been guilty of burglary and arson.

His other plea, that no one is shown to have been removed for a failure to pay, is no better; it is even piteous. Under the spoils system, before public opinion had made chieftains cautious and stealthy, removals were unhesitatingly made, as they now are indirectly, for refusals to pay assessments. Of late, public opinion has made it too disgraceful to avow a failure to pay as the cause of a removal. Hence, from mere cowardice, the true cause has been disguised. But the whole of the civil service has been put under such a sense of the peril from a refusal to pay—not the peril of removal merely, but of losing promotion, of hard tasks, short vacations, long hours of labor, and other disagreeable treatment—that the fear thus produced is the real cause both of the assessments being made and of its being possible to collect them. Had political assessments been unknown down to our time, as they were down to that of Jackson, and now are in every other enlightened nation, can it be doubted that an attempt, without sanction of law, by a mere partisan committee of Congress, to extort from a single class of citizens—and that a class of small means and hard labor for the common good—a vast sum of money, unmeasured, except by the caprice of that committee—for defraying the election expenses of the party in power; can it be doubted that such a proposition would be universally denounced as repugnant to all justice and decency, as without precedent in the taxation of civilized States,—as far more arbitrary and vicious than anything against which Hampden struggled or our fathers fought? If the collection of ship money was arbitrary, it was at least attempted in the interest of the whole people, and was to be used for the common defense. President Woolsey tells us that when, under Jefferson, it was supposed that a removal had been made for party reasons, "single cases excited a sense of wrong through a whole State," and the anxiety in Congress yesterday to relieve the President of the charge of removing without cause, indicates a revival of that wholesome sentiment. Indeed, there is good reason to believe that if the officials at Washington, Boston, New York, or Philadelphia would manfully confront Mr. Hubbell and his committee, affirming the same

rights for those in the public service which belong to other citizens, insisting on the same protection from those insulting demands for money by the minions of Congressional committees which every other citizen would resent, and declaring they would not pay one cent so long as they are made the subjects of claims for specific sums assessed arbitrarily against them, or are approached differently from other citizens, there is good reason, we affirm, to believe so just an assertion of self-respect and the common rights of citizenship would be received with a popular applause, which would overawe the administration—if it can be thought to connive at the extortion—would even shame the members of the committee back to their duty as legislators. But what right have we to expect the humbler officials to be patriots and martyrs, when members of Congress uphold the abuses by which the manhood of so many of them has been impaired for more than a generation?

The charge for Mr. Hubbell to answer is not one concerning the number of officers having the appointing power who have had the nerve to thrust out the subordinate who has stood for his rights. It is that the demand made by the committee is illegal, unjust, and demoralizing—unworthy the legislators of fifty millions of people, and offensive to the best membership and fatal to the purity and prosperity of his party.

To this charge Mr. Hubbell attempts no answer. He does not seem to comprehend either the sense of justice or the statesmanship from which it springs. His shift about non-removals is but an indirect confession of guilt. For, unless he adopts the code of the spoilsmen, that might makes right in politics, he must, on some theory, claim that it is intrinsically right for the committee to enforce the tax, and consequently the duty of the officials and laborers to pay it. How stands his plea on the latter theory? So high and imperative is the obligation to demand and to pay, that a grand "National Congressional Committee" of sixteen members, drawn from both houses, must be created in order to combine their wisdom and power for its enforcement. Bull-dozing and tissue voting, the fate of the Republican party, the prosperity of the nation, are declared by Mr. Hubbell to depend upon it. Yet, with an unquestioned power to make removals, and a plain duty to do so, upon his own theory, if his demand is not complied with, his committee (as he claims) allows any clerk to spurn that demand, and any tender of a door or a gate

to slam it in the face of the committee with perfect impunity. Such acts of defiance plainly say to the committee, "You dare not act on your own theory; you know your demand is wrongful, hence you shrink from your pretended duty whenever the humblest official stands on his rights by defying you." How generally this view of the matter has been taken of late by the public servants appears from the fact that, in 1878, the extortion committee sent out about one hundred thousand demands and only got a response from eleven thousand five hundred; that is, eight of every nine subordinates whom the committee insulted, met the insult with defiance or silent contempt.

Mr. Hubbell's defense reduces the whole proceeding either to pitiable begging, in which a committee of Congress appear, hat in hand, on their knees, before the floor sweepers and messenger-boys, equally ready to accept a sixpence or a cuff, or to a pompous attempt at extortion by false pretenses, in which nothing is in danger except the honor and reputation of those who present an unjust claim which they have the power, but not the courage to enforce. Here is a scene for Nast. Mr. Hubbell appears to have no more sense of the ridiculous than he has of justice. If this pusillanimous shrinking from removals, when they might bring millions to prevent bulldozing and tissue voting, to fill the pockets of members and to purchase a glorious victory for the Republican party—had been made a charge against the committee, its force would be apparent; but that such cowardice should be pleaded in defense, only such a chairman could make possible What would we say of the commander of a press-gang, a foraging party, or a band of robbers, who should report nothing attainable in nine of every ten places visited, merely because nothing was voluntarily offered.

But though the extortionists no longer dare remove—or let it be known that they secretly threaten to do so—they yet cunningly contrive to make the fear of removal a terror to their victims. The public servants are solemnly warned that nothing but their money can save the Republicans from defeat, when the wicked Democrats will remove the whole of them. That pitiable suggestion is made in a stealthy form in Mr. Hubbell's circular; and the only influential New York journal which has apologized for assessments has adroitly used that argument, and that alone.

The true rule as to raising money for party purposes is not difficult to lay down. The duty of all citizens is the same,

whether holding office or not, to make reasonable contribution of time and money, according to their ability, for the support of sound principles and of parties who are faithful to them. The officer should have a fair salary for his work. His obligation to pay money for a party is neither increased nor diminished by the fact of holding office. Parties are inevitable, and, within their proper sphere, useful. They elect presidents, governors, members of Congress and of legislatures, thus controlling all policy and all legislation, and, as a consequence, drawing into activity, in their ranks, and rewarding men of honorable ambition. The subordinates in the departments who represent neither opinions nor interests—whose party views are immaterial for their work—should be selected on business principles, without peril of being conscripted into the working gangs of any party or of being plundered for paying its expenses.

A party needs money for legitimate purposes; and no party which is faithful to its principles and gives the people worthy men for office and good administration, will ever appeal to its members in vain for the money really needed. It is machine management—enabling manipulators to monopolize politics as a business, to extort money from the public servants, to spend it corruptly and to deprive the people of freedom of action in its conventions—which has made worthy citizens refuse to trust party leaders with money.

Never have parties been more vital than they were in the period before Jackson, when assessments were unknown. Neither here nor in any other country are party lines more clearly drawn or is fidelity to party principles more complete, or administration purer, than in Great Britain, where assessments are not attempted. At this moment, in every part of the Union, parties are faithful and vigorous, and administration is honest, in the precise degree that assessments are unknown and parties rest upon the free action of their unofficial members. The demand for assessments finds its strength in the greed of chieftains and manipulators for money for purposes for which they dare not ask it, and of which they dare not give account. It is a libel upon a people, who more liberally than any other support their schools and charities, and who alone support their churches by voluntary subscriptions, to say they will refuse anything needful to maintain in healthy life those great parties, without which all history shows liberal government to be impossible. It is an insult to

such a people to pretend that the better party will go down if it be not sustained by extortion from the public service.

The Republican party was born of devotion to great principles,—by fidelity to which, unaided by assessments, it advanced to power over a party whose treasury was kept full by extortion upon the public servants;—and never did the power of the new party begin to wane until its mercenary and partisan managers reproduced the old Democratic methods for paying expenses. What can be more preposterous than for a party in power to say it must resort to assessments to fight its adversary which has no officials to assess? That plea, if not false, is an admission that the adversary is strongest in sound principles to which the people are ready to give their approval and their money. Statesmen would have seen that what was needed to keep the Republican party in power was not more money extorted by fear and expended in secrecy, not more coercion of primaries and more despotism in conventions, but fidelity to principles, the fulfillment of pledges to purify the administration, open and patriotic appeals to the people for support, the nomination of the best men for office, and the suppression of corrupt patronage—especially on the part of Congressmen.

"Senators and representatives throng the offices and bureaus until the public business is obstructed, . . . and, for fear of losing their places through our influence," the officials give way, and appoint the unfit persons we press upon them; "one-third of the working-hours of senators and representatives is hardly sufficient . . . for appointments for office"; "to reform the civil service is one of the highest duties of statesmanship"; "I ask gentlemen what they think of political assessments . . . to be used for party purposes? I call gentlemen around me to the shameful fact." "The practice affords an electioneering fund which, in many cases, never gets beyond the pockets of the shysters and the mere camp-followers of the party." These words, these principles, these assertions of duty, from the speeches and writings of the martyred statesman whom the people wanted in the chief seat of the nation, and now echoed from his grave, are they not worthy the attention of a committee and a faction by whom they seem to be forgotten, and to whom their wisdom seems incomprehensible?

The original spoils system had four fundamental, mutually supporting elements of strength: (1.) Absolute military subor-

dination of each grade to that above, from the chieftain to the sutlers of the party. (2.) All places and salaries to be given primarily as rewards for party work done or to be done, and to be held at the pleasure of its managers. (3.) Every official under obligation to do such work upon the manager's order, on pain of dismissal; and promotion, increase of salary, and long vacations, as rewards for special zeal in that work. (4.) The payment by every official and employé of whatever assessments the managers may be pleased to make upon salaries and wages, or peremptory removal; the money to be used by the managers, without account or responsibility, at their discretion. Office was not a trust, but a perquisite rented out—one part of the rent being work, and the other money; the duty of cheering, praising, and playing flunkey being implied. No other power was so tempting as the money-collecting power, by which the partisan treasury could be surely supplied and the party managers' pockets often filled—a power more absolute than any oriental despot ever wielded over the earnings of his subjects.

Such reasons naturally prevented the extortion part of the system being put in practice until long after the other parts had been enforced. From the beginning proscriptive removals were made to gain places for the dominant party; and these cases had reached thousands before the robber-like audacity was developed, which could say to an official of that party: "Your money or your place." But before the defalcation of the first spoil system collector, Swartwout, had reached a million, the political evolution of his office had become savage enough to make that demand. In an investigation of his frauds by the Twenty-fifth Congress, we find the first instances in Federal politics of assessment extortion—though in a stealthy fashion—upon the theory of Mr. Hubbell's committee. Statesmen saw the danger. On the 20th of March, 1841, Mr. Webster, as Secretary of State, by order of President Harrison, issued instructions declaring that "the payment of contributions or assessments on salaries, or official compensation for party or election purposes, will be regarded by him as cause for removal." But Tyler came in and Webster went out only a few days later; and in 1842 assessments were vigorously enforced at the New York Post-office and Custom House; it seeming to be a law of descent that every succession of a Vice-President should embolden the friends of this extortion.

It took time to harden the public mind, long accustomed to honest methods, to that kind of robbery. But it got hardened slowly. Mr. Calhoun says, a little later, that, "what a few years since would have shocked and aroused the whole community, is now scarcely perceived or felt, when it is openly avowed that the offices are the spoils of the victors." This toleration of savagery in removals made assessment collections easy. If the Democrats did not very soon — as the Republicans are now doing — extend the extortion to office-boys, janitors, messengers, navy-yard laborers and washerwomen — they certainly made it quite general, at least as early as Buchanan's administration, during which it was enforced without mercy or shame. His New York collector vigorously enforced assessments, and in four years removed three hundred and eighty-nine out of his six hundred and ninety subordinates. Then, frequently, the Government disbursing officers paid the assessments before the public official got his pay. In those stalwart times party managers had the courage of their theories. An extortion committee, chairman, collector, or postmaster, would have looked upon himself as a poltroon, if after demanding an assessment to save a party he had shrunk from removing a messenger-boy or washerwoman who defied him by refusing to pay it. Greed and effrontery have survived, but courage and consistency are no more.

General Dix had a noble sense of public justice. A letter from him to the chairman of an aldermanic extortion committee, now before us, dated October 15, 1860, when General Dix was Postmaster, is worthy the attention of both Mr. Hubbell and Assistant Postmaster-General Hatton:

"I have received your letter," says the General, "soliciting . . . the privilege of assessing the subordinates in my office. . . I may say of a majority of them that the assessment proposed to be made upon them cannot be paid without pinching their families who are entirely dependent upon their salaries. I cannot consent to be the instrument of wringing from their necessities the means indispensable to their daily wants. I think, moreover, this system . . . of assessing subordinates is all wrong."

Referring the aldermen to men of means as the proper persons to pay, he adds, " . . . I shall regard it as my duty to protect them [his subordinates] from a system of political extortion disgraceful alike to the Government and the country;" and he

kept out the assessment collectors. The postal officers now threatened by these extortion agents are no better able to pay than those of 1860, and their places are not the gifts of chieftains or Congressmen, but prizes won by themselves in manly competitions of merit.

We do not mean to suggest that the politician class of New York ever accepted the views of General Dix. On the contrary, they have enforced assessments savagely, in that way gaining the money which has carried elections and supported corrupt rings and factions. The committees of the aldermanic demagogues with whom New York has been cursed, have rivaled the committees of Congress and of the State Legislature in the merciless industry with which they have robbed salaries and wages. Every ward and district, and not these alone, but every candidate, pot-house-patronage monger and chieftain, had an assessment committee or agent. Not a chimney-sweep, ash cartman, scrub-woman, or messenger boy, on the public pay-rolls, if even the school teachers and chaplains, escaped these ubiquitous assessment sharks. It was then their custom to stand by the paymaster and exact the pillage before the laborer got the means for his Sunday dinner. Long and frequent vacations were given on the condition that the salary unearned should go into the extortion fund; and not infrequently was a portion of the salary pledged to the Boss for his making the appointment. Removals were held to be as certain consequences of refusals to pay as deaths from the bites of mad dogs. The money bribed alike the press and the elections. Tweed, Cardozo, Barnard, and the whole saturnalia of pillage, crime and corruption, were the fruits.

The Republicans inherited that system. In the early glow of noble sentiments they scorned it. But by 1866 a Republican Congressional committee for assessments was created, we believe, after a Democratic model. This sanction by Congress carried the extortion down through the lower life of the party. In the proportion that principles were neglected, and abuses increased, assessments, made larger, were more mercilessly exacted. Removals for neglect to pay were remorseless. In the sixteen months, from 1869, Grinnell, as Collector at New York, removed five hundred and ten out of his eight hundred and ninety-two subordinates; and Murphy, his successor, in about the same length of time, removed three hundred and thirty-eight.

It was bad enough for bosses, chieftains, and rings to hold all the gates of appointment, so that none save their minions could enter; but despotism was made complete only when a power was added to exact from all within as much money for their own use as these despots and patronage-mongers chose to demand. It was one of the intolerable wrongs of despotic British kings that they enforced "benevolences, gifts, and aids" from officials and citizens under various pretenses, an oppression which the stalwart British people arrested by the Petition of Right, under Charles I. But our stalwartism is of another sort, which takes sides with the king or makes itself a hydra-headed despot.

The Federal salaries paid at New York are more than two million five hundred thousand dollars, and the Republicans have generally controlled the State patronage. The Democrats dominated the city and county, where the annual pay-rolls are about ten million five hundred thousand dollars. The whole stock in trade to be assessed was, therefore, from fourteen to fifteen million dollars. The temptation of the managers of the opposing parties to come to a corrupt agreement for plunder, division, and impunity was great indeed. That such an agreement was made and executed as to assessing the Police Force and the Fire Department, and dividing the spoils—if not as to the School and Health authorities and others—is quite certain.

How much money was obtained altogether, yearly, is one of the secrets of the plunderers. One per cent. on fourteen million dollars is one hundred and forty thousand dollars. But it is certain that as much as six per cent. in a year was sometimes demanded and to a large extent collected. A circular before us, signed by John Kelly (who justified high salaries in a speech on the ground that officials are called on for assessments) and by a present leading New York member of Congress, dated September 30, 1875, plumply calls for two hundred and fifty dollars, or more than three per cent. on the salary of the victim; and another of a little later date calls for twenty-five dollars from a notary public, of which there were two thousand—hence a plump fifty thousand dollars was sought of them. From two hundred thousand dollars to three or four times that sum may be accepted as the annual assessment plunder at New York. These vast sums, extorted through despotism and fear, clamored for by the chieftains, demagogues and shysters of parties among whom

it was divided, and whom it powerfully aided to increase and degrade, made freedom and purity of elections impossible. It repelled the best citizens from politics. It made the investigation of custom abuses a part of the regular business of Congress, whose example largely caused them.

Party managers, rich from the robbery of the servants of the city, the State, and the nation alike, cared little for public opinion; asking money elsewhere, if at all, not from those who approved, but from those who feared or were bribed. Politics became a trade. Pledges were scorned. Leaders sold themselves. The primary organizations, no longer representative, were permanent committees for extorting assessments, selling nominations and dividing patronage and profits. New York city, for example, with about fifty thousand Republican voters, having less than seven thousand members of primary organizations; and no man could become a member without the most degrading pledges. In August, 1871, Mr. Cornell, the present Governor of New York, says in a letter (which got into the press): "A very large portion of the true Republicans . . declined to take part in such elections on account of frauds; . . presidents of Republican associations were in the direct employment of city officials . . and the elections of delegates to conventions in nearly all the districts were mere farces." In November, 1879, George Bliss, District Attorney under President Grant, declared in a letter to President Arthur, now before us, that there were then less than thirteen thousand five hundred on the voting lists of the Republican primaries of the city; that in numerous districts but a small portion of them had a right to be there; and that persons are held to be members or not "according as they are or are not prepared to vote satisfactorily to the controlling powers." It was a despotism founded on plunder and fraud, by which conventions were bulldozed and the people were cheated through methods compared with which tissue voting is bungling and perilous. And for these evils no responsibility is so great as that which rests on Congressional extortion committees. It was the vicious use of money got by plunder, the debauching of the political conscience, the suppression of the higher sentiment at the elections and the blinding influence of irresponsible power thus secured which made it possible for a mere politician like Mr. Conkling—without popular qualities, without identification with any great public measure, without doing anything which

the next generation will recall with respect—to be a party despot in a great State—confident to the moment of his fall—and then to go down without comprehending the cause. Mr. Lecky says George Grenville, less than any statesman of his day, understood the effects of his own follies upon public opinion. This preëminence in our time must, despite the high claims of the ex-Senator, be awarded to Mr. Hubbell, for he does not even yet comprehend why his hero fell.

The effect upon the public service has been as disastrous as upon its oppressors. The assessment system divides the officials into two classes, the landlord class and the tenant class. The members of Congress, of legislatures, and of municipal councils, aided by the chieftains and the bosses,—these are the landlord assessment-extorting and spoils-sharing class. The subordinates and the public laborers are the assessment-paying tenant-at-will class. It is so important that the landlord class should get offices and keep them, that there is no limit put to their power to rob the salaries and dispossess the members of the tenant class for that purpose. But not only are those seeking office or employment in the tenant class not aided out of the extortion fund of the aristocratic landlord class, but they are not even allowed by their masters to prove their superiority by a fair competition of merit among themselves. They must first get recommendations, like a servant, from the very landlords who annually fix their rent, before they have the least chance of a place even at will. It is true that in 1878, there was a show by members of Congress of putting a tiny rent of fifty dollars upon themselves. But it was a farce and a failure. They even nominally paid but a trifle, while they extorted eighty thousand dollars for their own use from that tenant class which it was their special duty to protect. The most merciless landlord in Ireland only insists on the rent provided for at the beginning. It is only the tenant-at-will holder of an office in this republic who is liable both to arbitrary rent and arbitrary ejection at the caprice of his landlord.

Such a system makes the public servant a partisan and factionist in self-defense. It tells him to court the chieftains and bosses who hold power over his earnings. It tells him that he has no right to his wages which the Government respects. It makes it impossible for him to feel a duty of economy, fidelity, or exertion in behalf of a government which, without attempting his protection, sees him deprived of a great portion of the salary

and wages which its legislators had declared his due; and this wrong done, not only by the connivance of those very legislators and by their minions, but for the selfish purpose of securing their own reëlection. It produces a sense of wrong, a distrust and recklessness of justice, a feeling of dependence and despair, alike damaging to personal manhood and to the national character. If the official does not recoup his loss, by appropriating time and money belonging to the public, it is only because his standard of duty is higher than his Government enforces.

Public opinion against assessments has been growing for several years. The street-cleaning contractor, the Commissioners of Charity, some of the Police Commissioners, the Union League Club, the Comptroller, and the Mayor of New York — and even its aldermen — have protested against them. A New York Republican State Convention has resolved "that no official or office-holder should be subject to political or partisan assessments, . . . and plain laws should forbid and punish all attempts to make or force such assessments." The extortion committees seem to be shamed out of assessing school-teachers.

Such is the abuse which Mr. Hubbell and his committee would increase and the sentiments which they outrage. Those enlightened, patriotic sentiments, without a dollar or a friendly word from Congress, have wrought a beneficent reform in the largest post-office and custom-house of the nation; but at this moment the public servants there, whose superior merits have won their places, are beset by the minions of a Congressional committee, dogging and bullying them for their earnings with no more right than Arab* robbers harry travelers, nor half so much excuse, for Arabs have never been taught anything better.

Degrading the officials in their own estimation and that of the people, the assessment system has repelled the most worthy, who shrink from positions where only unlimited extortion is certain. The salaries and wages paid by the nation, its own legislators treat as the legitimate prize-money of the dominant party, which it may use at pleasure to perpetuate its power. Is it any wonder that Congress, supinely allowing its own members to devour the substance of the national ser-

* This was written before we had seen the articles in the "Herald" and "Evening Post," declaring Mr. Hubbell to be of a Bedouin Arab family.

vants to secure their own reëlections, has itself fallen in the estimation of the people?

The mandate now being enforced, breathing the very spirit of despotism, insults an intelligent people. Without pretense of justification, if a majority was sure for the dominant party, the sum to be extorted is measured by the need of bribery, or extraneous influence to carry the districts. If two per cent. on the national pay-rolls may be now taken because needed, then a party which, by its infidelity and outrages shall have become so unpopular as to need a bribery fund of ten per cent. may, for the same reason, extort that sum. The only principle is this: that every party in power may rob the public servants in the ratio of its own folly and corruption, and use the plunder to bribe the voters and deceive the people.

The enforcement of this nefarious theory by the "Robber Barons" of politics was never so universal, so shameless, so barbarous, or so indiscreet as at this moment. The Federal pay-rolls call for more than fifty million dollars a year. On that sum, the avowal is a levy of only two per cent., but the actual demand upon employés and small officials is far greater. If the committee expect to extort only a fourth of the one million dollars and more they demand, it but shows the effrontery of their pretense of a willingness to pay, and that they have no compunctions in excusing the landlord class and wringing the whole corruption fund from the most timid and humble of the tenant class. Very likely they expect little more from members of Congress and great officials than the pittance they got in 1878. It is not sharks and whales they have the courage to fish for, but herrings and dace. Boys are bullied for a dollar!

Could the curtain of secrecy be lifted, we should see a vast drag-net of extortion thrown out by the committee from Washington over the whole land from Maine to California, with every humble official and laborer—from those under the sea at Hell Gate to the weather observers on Pike's Peak—entangled in its meshes; and, busy among them, for their prey, a series of tax extortioners ranging down from Hubbell the great Quæstor to little Hubbells by the hundred, each paid a commission * on

* Not Hubbell, perhaps, for he disinterestedly took a round five thousand dollars—one-twentieth of the whole—for his own dear Michigan in 1878, and doubtless expects ten thousand dollars this year. Surely he will go back to Washington; and what gratitude from the "shysters and camp-followers" of his

his collections in true Turkish fashion (to which the large amounts extorted beyond regular plunder rates are added). These minions, book in hand, are haunting the official corridors and tracking the public laborers. They mouse around the bureaus for names and salaries which all high-toned officials contemptuously withhold. Neither sex, age, nor condition, is spared by these spoils system harpies. They waylay the clerks going to their meals. They hunt the Springfield arsenal and the Mississippi breakwater laborers to their humble homes. They obtrude their impertinent faces upon the teachers of Indians and negroes at Hampden School and the Carlisle Barracks. They dog navy-yard workmen to their narrow lodgings. The weary scrub-women are persecuted to their garrets; the poor office-boys are bullied at their evening schools; the money needed for rent is taken from the aged father and only son; men enfeebled on the battle-fields are harried in the very shadow of the Capitol; life-boat crews, listening on stormy shores for the cry of the shipwrecked, and even chaplains and nurses at the bedside of the dying, are not exempted from this merciless, mercenary, indecent conscription, which reproduces the infamy of oriental tax-farming.

We know of the head of a family who hesitates between defying Hubbell and taking a meaner tenement; of a boy at evening school blackmailed of three dollars while wearing a suit given in charity; and of a son pillaged of seventeen dollars when furniture of the mother he supports was in pawn; and many have consulted us as to the safety of keeping their earnings, which they need. In every case there is fear of removal or other retaliation. Pages could be filled with such cases from the reports of citizens. A newspaper before us gives that of a laborer, with a family, earning seven hundred and fifty dollars a year, pursued by a harpy for fifteen dollars; and also that of a boy of thirteen, earning one dollar a day, with another harpy after him for three dollars and sixty cents. To women and girls no more mercy is shown.

In Springfield and other places, unofficial laborers and the tenant class of officials are uniting for common defense against the landlord class—an argument which even an extortion committee can comprehend. Outrageous as the wrong upon the poor and humble, far greater would be the calamity could the committee make the landlord class pay its proportion and swell

State—beyond whom, President Garfield said, a great part of such money never gets—will follow him!

the corruption fund to six or eight hundred thousand dollars. With so vast a sum, despotism and bribery at the elections would make the Republican party infamous and seal its fate. For, whenever the American people shall tamely allow such sums to be pillaged from a tenant-at-will class of officials, to be used by the landlord class to reëlect themselves, who will think our Republican system has long to live?

If a party is resolved to have more money than the people will freely give it, there would, as in the case of Cæsar, be something heroic in taking the amount required from the public treasury and expending it under the forms of law and accountability. That method would not cause a tithe of the corruption and injustice of the present one.

But, even if the whole tax is to be put upon one poor, unprotected class, the method should not be needlessly vexatious and oppressive. A party, in its national convention, might assess two or ten per cent. upon all salaries and wages, and apportion the spoils between federal, State, and municipal committees. Then a teacher, scrub-woman, or messenger-boy, having paid, could take a receipt as from the captain of a foraging party, which would be good against all other harpies.

Now, when the national lion and the State tiger and hyena have taken their fill, their victims are still at the mercy of the city wolf, shark and polecat, who come as often as they are hungry. Five grades of assessments at least are made—national, State, mayoralty, ward, and district; to which boss and chieftain claims must be added. Here is a fresh case from Philadelphia: salary in post-office, eight hundred dollars; federal tax, sixteen dollars; State, twenty dollars; ward, five dollars; in all, forty-one dollars, or five per cent. The newspaper before us shows that a New York letter-carrier, salary one thousand dollars, is taxed three per cent. by Hubbell, and three by the State committee—sixty dollars; and all city extortion awaits him. Such is the custom. The minions serving under congressmen only embolden every local robber. And why, under that precedent, may not any superintendent of a railroad or prison, any foreman of a mill or a gang, any head-waiter, or nurse even, raid upon subordinates to carry a re-appointment or bribe a rival?

Both nominations and influence are already being sold. Why not as well demand payment for a nomination or for influence in forcing it, as annually for retaining the place in possession? The

price for nominations in New York seems pretty well established, say five hundred dollars to one thousand dollars for the Legislature, and two thousand dollars to five thousand dollars or more for a judgeship. One judge has been sued on his alleged promise to pay, and the New York Bar Association has already a committee for investigating the sales of judicial nominations!

For congressmen to attempt assessments adds usurpation to extortion. The party has given them no such authority. Its attempted exercise is obnoxious and indelicate, because they grasp for the money to be used selfishly for their own reëlection. It is as arrogant as their old practice of nominating the President, and as selfish as the salary grab or the franking perquisite, which public opinion has suppressed.

It is the duty of Congress to provide for all salaries and wages, taking care that they are just both to the public and to its servants; and especially to guard the humbler of those servants against extortion and whatever else impairs their rights, their moral tone, or their efficiency. It is the right of the people in every district to choose their congressmen freely. It is quite superfluous to point out that such duties and rights are flagrantly violated when committees are created and used for wringing money from the fears of the public servants elsewhere, in order to defeat the popular choice in particular districts. Neither Charles I. nor James II. did anything more despotic, infamous, or immoral.

Members of Congress have no right to spurn the opinions of Presidents, who best knew the evils of assessments. Three Presidents in succession have warned congressmen. The warning of President Garfield we have quoted. President Grant and President Hayes, alarmed at those evils, each in turn, by executive order, attempted their suppression; but congressmen, greedy for spoils and reckless of consequences, trampled on their orders and pillaged the subordinates, as they now defiantly make the issue with the people.

"In whatever aspect considered (says President Hayes, December, 1879), the practice of making levies for party purposes . . . is highly demoralizing to the public service and discreditable to the country. . . . If the salaries are but a fair compensation . . . it is gross injustice. . . . If they are made excessive in order that they may bear the tax, it is indirect robbery of the public funds."

Worse still. Congress has made it penal, and hence it is an act of special impropriety for its members to attempt assessments. Section 1546 declares that "no officer of the United States shall require or request any workman in any navy-yard to contribute or pay any sum of money for political purposes"; and a law of 1876 declares that "all executive officers or employés of the United States . . . (not confirmed by the Senate) are prohibited from giving to, or receiving from, any other officer or employé of the Government any money, etc. . . . for political purposes."

We have no space for words about the contemptible attorney quibble of Mr. Hubbell, that he is not an officer of the United States. Of what is he an officer? The plain, decisive facts are that congressmen—forced by public opinion—have put the brand of criminality upon the whole theory of assessments, as unjust, immoral, and disgraceful. Of all the officials of the country, they surely are the last who can with decency connive at the violation of these laws. Mr. Hubbell's plea is only fit for the robber of a hen-roost. Did congressmen prohibit others levying blackmail only that they might have the monopoly and all the plunder of it? Do laws against bribery and peculation mean that congressmen may alone peculate and take bribes? May congressmen violate the spirit and purposes of their statutes—even if their neglect or connivance has left them defective as against themselves? Do they owe nothing to the dignity of their position, or the better sentiments of a great nation? *

But yet more. This last statute was passed in 1876—when salaries were being reduced ten per cent.—for the purpose of compensating that loss by suppressing a plunder. Mr. Hale (now only nominally, we could hope, on the Hubbell Committee), opposed the reduction as unjust, while favoring the suppression. Yet, in the greed for money to carry elections, the pledge, the record, all justice, all consistency, all mercy are alike disregarded! Nor

* It is hopeful that some members are comprehending public opinion, and dare declare their own; one a few days since denounced assessments as "blood-money sucked from the veins of labor"; another, as "a festering sore that will taint the whole body politic, make elections a farce, and destroy the republic." Mr. Kasson, a Republican leader of promise, said—all too tamely: "I do condemn this effort even as an invitation, owing to the unseen and indescribable official influence, which makes these subordinates feel the danger of refusing."

is this all. Members of Congress never lose a chance of proclaiming aloud their affection and generosity for the soldier and his children. By statute (§ 1755) they ostentatiously called on "bankers, manufacturers, mechanics and farmers" to employ that soldier class. They gave them precedence (§ 1754) in the public service—a just provision, to which the civil service rules always gave effect. Now, a recent report to that body shows that from forty to fifty-three per cent. of the subordinate officials are soldiers or soldiers' children. It follows, therefore, that of the ninety-three thousand dollars extorted by the Hubbell Committee from those subordinates in 1878, not less than from thirty-seven thousand to fifty thousand dollars of it was wrung by congressmen from the salaries and wages of these favorites of the nation! Who will defend that on the floor of Congress? Every one of these soldiers and children of soldiers is now being blackmailed again by the minions of the committee. But Mr. Hubbell will secure his own five thousand or ten thousand dollars, and therefore a reëlection from the forests of Michigan, even if with the reputation of doing more than any other man, with so poor ability, to dishonor his country. There is, however, this offset—that, like Tetzel, he has ruined his vile business, and probably made a successor impossible. But he need never lack congenial occupation so long as Arabi Pasha needs money and the Egyptian fellah has any left.

The pretense that payments are voluntary is almost too absurd for notice. Some congressmen, with a demagogism that would abash Cleon, even vindicate the liberty of the servant to pay, as in the fable the wolves did that of the sheep to be outside the fold at night, but put them inside their paunches before morning. It is the knowledge that the public servants are dependent and in constant fear which alone emboldens the demand, which is made for a specific sum—a demand no committee would dare make of any unofficial person, and which every such person would resent. To increase that fear the demand, or mandate rather, bears the names of the whole committee, and tells the victim that the extortion "will not be objected to in any official quarter"—in other words warns him—we hope as falsely as cruelly—of no mercy from the President! The usual cruel irony about its being "both a privilege and a pleasure" to be the sole and helpless victims of Congressional extortion is not omitted. In other words, these mandates combine the logic of a

demagogue, the insinuations of a Jesuit, the menace of a robber, and the cruelty of a Turk.

There are unquestionably some ready to pay: among them the born flunkeys, the adroit schemers, the disciplined henchmen. They are everywhere found in the tenant-class. In England, for example, they are foremost when a young landlord comes of age, or a baby is born to him; forming processions, firing guns, collecting assessments for presents; but always expecting and generally getting a rich reward. So mischievous have they become in our service that Congress has forbidden (R. S. § 1784) "clerks and employés collecting money for or making presents to superior officers"; the very abuse Mr. Hubbell is now forcing them to commit! These classes, together with heads of bureaus who seek promotion or long vacations, are Mr. Hubbell's voluntary payers. They head the lists which the minions take through the offices, pressing for payment and scoring up non-payers, for their fate. Every plea for reduction is vain. We could give many examples. If the subordinate fails, his tax is charged against the head of his bureau. In a mandate of that kind, now before us, from the New York State Committee, of October, 1880, a total of nearly eight hundred dollars is so charged and demanded "as due from the employés in your office who have several times been asked to contribute the sums set opposite their respective names." In a letter* sent the next day those who have not paid are branded as *delinquents*, for having manhood enough to withstand a blackmailer. A Philadelphia mandate before us, dated October 25, 1880, has these significant menacing words: "At the close of the campaign we shall place a list of those who have not paid in the hands of the head of the department you are in"—of course, to secure persecution or removal.

But Mr. Hubbell's "voluntary payments" were best illustrated when, last November, a New York police justice—one Hugh Gardner—left the bench for a room at the Astor House, and summoned before him the letter-carriers in their national

* NEW YORK STATE COMMITTEE, REPUBLICAN CAMPAIGN.
Fifth Avenue Hotel, New York, Oct. 28, 1880.

DEAR SIR: Please erase from the list of *delinquents* I sent you the name of * * and oblige, Yours truly,

H. A. GLIDEN, *Secretary.*

uniform. We quote from the "Tribune" and "Herald." "Tribune": "Gardner, with his coat and shirt-sleeves rolled up, clerk with names of employés. . . A carrier would ask if less would not be satisfactory, as he needed the money for his family. . . The whole or nothing, and the whole was not long in forthcoming." "Herald": "Among the first victims a one-armed carrier, who was wet and downcast . . . money counted. 'This is not enough,' said Gardner, gruffly. 'It is all I can spare.' 'Then you can keep your money.' He planked down another greenback. . . . 'I really can't afford to pay you now.' . . 'I can't stop to talk with you,' was the retort. . . . 'This is a shame and a scandal.' 'I don't think robbery should be tolerated,' said one. . . . This was the routine for several hours."

Nothing so disgraceful to the country has happened in this decade. Far more creditable if Gardner, his clerk, and his papers had been stuffed together into a mail-bag and sent to Mr. Hubbell.

Is it by repeating such scenes—by perpetuating such a system—now when so many are ready to break from party lines, that the Republicans expect to increase their precarious majority? Have they no statesmen among their leaders wise enough to comprehend that higher public opinion, which is more and more becoming potential?

DORMAN B. EATON.

OATHS IN LEGAL PROCEEDINGS.

EVENTS of importance which have recently occurred in the United States, in France, and in England, are drawing public attention to the subject of oaths, and are causing the inquiry to be made, Of what conceivable use are they, especially in legal proceedings, in this age of enlightenment? Not long since, in New York, a man was imprisoned because, having some scruples (which the court held did not fall within the general provisions of the law upon the subject) as to the prescribed form of the oath, he refused to be sworn as a witness. In England the case of Bradlaugh has led the majority of Parliament to exhibit feelings so conservative and narrow-minded as to cause elsewhere emotions of profound surprise. In France, on the other hand, the ministry but a short time since introduced a wise and liberal measure in reference to the taking of oaths.

The only practical use of an oath is to increase the moral responsibility of the person to whom it is administered. It has, however, during many ages been employed for other purposes. In later times it has been used as a means for harassing and persecuting those not of the same religious faith as the law-makers themselves. Oaths were prescribed which none could conscientiously take unless they believed exactly as the legislators did. If they could not so conform their belief, they were excluded from all offices and emoluments and from testifying in courts of law, which, however, proved a greater injury to others than to themselves. As laws have until a very late period existed in America as well as in England, oaths have been required which might easily be taken by the infamous Lord Jeffreys and by the more infamous Benedict Arnold, but which could not be subscribed by men of such pure lives and exalted piety as Richard Baxter and Jonathan Edwards. Had the philosophers Confucius or Plato or Pascal lived in and been natives of England

or some portions of America at a recent date, they would have found themselves little better than outcasts from their inability to take certain oaths according to the established form. At the same time a ward politician, who cared no more for the sanctity of an oath than for a puff of tobacco-smoke, would have been permitted to swear as rapidly as an officer could administer the oath. How powerful an influence would the ceremony exert upon the conscience of such a man? Conscientious men are frequently restrained from swearing at all. Those who are conscientious will tell the truth under all circumstances. The remainder of the human family do not place much importance upon the sacredness of any form. The absurdity of some of these requirements is illustrated by our famous "iron-clad" oath. Every loyal man who shed his blood in defense of his country has been compelled to take this oath when inducted into any office. He could of course take it readily enough. But what good did it accomplish? For the man, however, who had participated in treasonable practices or borne arms against the lawful government, a different and far milder oath was provided, for he could not take the one termed "iron-clad" without committing perjury. Where is the reason or sense in such proceedings, especially in a country where freedom of conscience is guaranteed to all?

Some men appear to believe that the Supreme Being regards outward forms more than real virtue, and that he will punish a person who tells a falsehood in one way with far greater severity than he will one who tells it in another. According to their view of the case, a man under oath, making a statement which is false, but otherwise harmless, would be caused to suffer more acute agony in the future world than one would be who, not under oath, told a willful and malicious lie, which (as he intended it should) caused an irreparable injury. Are we not to suppose that it is the falsehood itself, and the intent to deceive, which are considered by the Supreme Being? Or does he regard the particular forms under which it is told?

"It is laid down by legal authorities," writes Lord Hardwicke, "that what is universally understood by an oath, is that the person who takes it imprecates the vengeance of God upon him if the oath he takes is false." Oaths are of very ancient origin. Devised by priestcraft to still further fetter the consciences of its victims, terrible denunciations were uttered against those

who made false ones, or who failed to do as they had sworn; and the dark clouds of that old superstition yet shadow the world, which teaches that prevarication, deception, and even willful lying are comparatively harmless, but that breaking an oath is truly terrible. The practice of administering oaths in judicial proceedings existed for many centuries before Christ. The priests of every clime and of every faith lent their arts and influence to render the ceremony as impressive as possible to the minds of the uneducated. For themselves, however, they reserved the privilege of dispensing with the obligation so incurred, when to fulfill it would prove a serious inconvenience. As the means of rendering promises more sacred and effectual, the Egyptians, Hindoos, Persians, and Hebrews, enforced the custom upon all grave occasions. The Greeks and Romans adopted a similar practice. From the latter nation was derived the form now in common use, of terminating the ceremony with the words "So help you God." History does not record that this universal practice has at any time resulted in good, nor is it shown that in any instances it has proved more beneficial to the human race than the simple Yea, yea, Nay, nay, prescribed by the Founder of the Christian religion.

The administration of oaths is required in America upon every trivial occasion. Any man elected to office, however unimportant it may be, is in every instance sworn to support the Constitution of the United States and to perform the duties of his office to the best of his ability, when in nine cases out of ten he does not know (and never takes the trouble to find out), what the Constitution contains, nor of what the duties of his office consist. Under these circumstances the sanctity of an oath cannot long be regarded by the people with any exalted degree of reverence or of dread.

Protests have at different periods been entered against the custom. The Friends and Moravians have refused on the one hand to take oaths, Freethinkers upon the other. One class of writers has treated the ceremony as absurd, the other as profane. The governments of America and England have ascertained that in the cause of justice it was necessary to modify to a certain extent the strict rules which had long been established as to the forms of oaths and the admission of testimony. Now, as I have already stated, the subject has assumed great prominence in England and France, as well as in America, by reason of cer-

tain judicial and parliamentary proceedings. The countries first mentioned still retain many ancient prejudices. In both of them a class exists which cannot comprehend the meaning of advancement and reform. They look back with regret toward the Dark Ages. In England, where, as Mr. Labouchère says, "the climax of unreason has been reached, when an oath is taken on a book which contains the words 'Swear not at all,'" the majority of the House of Commons objected to Mr. Bradlaugh being sworn as a member of Parliament, upon the ground that he could not take the required oath, and then, when he did take it, expelled him for having done so.

The French Government, which appears to be pursuing a safe and enlightened policy, has seen proper, on account of the increasing antipathy to oaths and of the great changes in religious belief, to introduce into the Chamber of Deputies a bill which will give to the scrupulous and the skeptical the right of merely affirming. This certainly is a step in the right direction. It was recently stated that in one case, in France, a witness argued with the court for more than an hour before he would consent to be sworn. Another witness insisted upon the removal of the crucifix from the hall of justice. In another French court the foreman of a jury was discharged because he refused to take the prescribed oath. In England, where the law-makers have, even in this age, seemed to regard a large class of liberal thinkers as beyond the pale of civilization, the spirit of advancement, to judge from late proceedings in the House of Lords, appears to be making slow but certain progress. In the consideration of such matters the condition of a man's conscience should have greater weight than that of his faith. England has never been more badly governed than when neither Catholics nor Dissenters, Jews nor Freethinkers, were permitted to sit in the Legislature, and when every member of Parliament could cheerfully subscribe to the Thirty-nine Articles of the church, and take every test-oath devised and in force during the two preceding centuries. These men, so eminently orthodox, did not, however, hesitate to plunder and betray their country. Even those who have most strenuously advocated the necessity of oaths have admitted that a high sense of honor was equivalent to a fear of future retribution. Thus, in England, noblemen who sat upon the trial of their peers were not sworn. They delivered their vote or verdict upon honor. In America, the certificate

upon honor of an officer of the army is treated with the same consideration as the affidavit of another person. In judicial proceedings likewise, if a witness is not governed by a sense of honor and of right, or by fear of punishment in this present world, how far in these days of independent thought will he be restrained by the dread of punishment in the vague hereafter? If he is a consistent Christian, an oath cannot further add to his determination to "tell the truth, the whole truth, and nothing but the truth." If a skeptic, he will either be guided by a sense of honor or by fear of immediate punishment. If a Christian in belief, but not in practice, he is presumed to stand in greater fear of the penalties of perjury in this world than of those in the next, for if the fear of future punishment (in which he must fully believe) does not influence him nor direct his actions in other earthly affairs, why should it as to fulfilling the obligations of an oath? The Bible says that a lying tongue is an abomination to the Lord. Can it be a greater abomination because certain forms have taken place before the lies are told?

Whatever peculiar views any class may entertain upon the subject, nothing more sacred than the presence of God can now be invoked in the cause of truth. In former times a different opinion prevailed. William the Norman, prior to his conquest of England, compelled Earl Harold, his shipwrecked guest, to take what was then regarded as a terrible oath, to support and assist the ambitious projects of the Norman duke. To render the oath more effective, William is said to have concealed under the altar upon which it was taken all the old bones ever appertaining to a saint which he was able to gather from the different parts of Europe. William, for his chicanery, was rewarded with the blessings of the Pope; while Harold, for his brave defense of the liberties of his country, received nothing better than anathemas.

The forms invented for binding a man's conscience are various and peculiar. Those most simple have been adopted in this country for general use. But, as Professor Dwight writes in an article on oaths in one of our cyclopedias, "Each witness is allowed to take the oath in the form which, according to his view, is the most binding upon his conscience." The Greeks and Romans swore upon the altars of their gods, a custom subsequently introduced, with other Pagan ceremonies, into the Roman Catholic Church. The Persian swears by the beard, the

Hindoo by kissing the finger or toe of a Brahmin, the Parsee by holding the tail of a cow, the Christian upon the Gospels, and the strict Catholic upon the Gospels with a cross. The Jew may be sworn upon the Pentateuch. In ancient times he placed his hand, when making oath, upon certain parts of a man's body. The Chinaman from one province swears by a burning scroll upon which have been written certain cabalistic words. Those from another province take the oath by kneeling and breaking a china saucer against the witness-stand; while those from a third portion of that empire insist that the only method by which their consciences can be bound is to have the ceremony administered upon the quivering body of a cock just decapitated and bisected. Yet, according to the authority above quoted, any of these ridiculous forms must be permitted in our halls of justice. As stated by the same writer, the oath in ancient times was regarded as an imprecation or an address to the Supreme Being, calling upon him to visit with his vengeance the person who should commit perjury; but more recently it is regarded in the nature of a warning or suggestion that God will fitly punish false swearing. As I have said, the forms for oaths now generally used in this country are exceedingly simple. They should also be regarded as very impressive. Yet of what avail are they? In the Territory of Wyoming, and in other portions of the United States, the person who, by false swearing, causes the conviction of another of a capital offense, is regarded by the law as being himself guilty of murder, and is accordingly compelled to suffer the penalty of death. Such a provision in the statute books will accomplish more toward checking false evidence than the exaction of all the oaths ever invented by the cunning of man.

Many of our leading jurists are strenuously opposed to the law which permits parties to suits to testify in their own behalf. They insist that such laws encourage false swearing, and that acts of perjury are rapidly increasing. If such is the case, it tends to prove that neither the fear of punishment in this world nor in the world to come will deter witnesses from perjuring themselves where they are interested. Mr. Junkin, a clergyman who has written very fully upon this subject, and who regards oaths as of divine origin, says, nevertheless: "Many deny that it is lawful in the sight of God to take an oath, while thousands who do not scruple to be sworn are ignorant or regardless of the

awful obligations they assume, and swear with rashness and frivolity, without a proper sense of the criminality of such conduct. So grievously is this ordinance prostituted, and so much is its form distorted in our courts of justice, that it fails to a lamentable degree to subserve the ends for which it was instituted."

It appears difficult at the present day to conceive the character of a person who, neither fearing the penal enactments of man against false witnesses, nor the denunciations of God against liars; a person who would not hesitate to rob his neighbor of all his possessions by means of false testimony, nor to send him to the penitentiary or the gallows by the same instrumentality; yet who, in opposition to his own interests, would be restrained from the commission of all these enormities solely by the sanctity of an oath and the fear of the additional punishment in the future world. He might reason with himself that man, unable to prove his guilt, would *not* punish him; but that an omniscient God certainly would. Could not God as readily perceive and punish the sin of making a false statement, by which an innocent man would be defrauded, imprisoned, or judicially murdered? If any man does exist with the character just described, he must closely resemble that robber mentioned by Irving, who had no scruples whatever about cutting the throats of several of his fellow-beings before breakfast for a small sum of gold; but was thrown into an agony of remorse when he learned that he had been eating a piece of meat upon a fast-day.

Nothwithstanding the dignity of our courts of justice, the customary methods of tendering oaths are far from impressive, and to people possessed of great veneration are somewhat shocking. The person who administers them is not usually eminent for piety. To obtain the position of clerk, he must rather have evinced political shrewdness and profound sagacity. He is far better acquainted with the voters of the Ninety-ninth ward than with the Psalms of David or the Holy Gospels. He hardly seems to be the proper person to invoke the Supreme Being to aid a faltering witness, or to denounce the wrath of Heaven upon the one who gives false testimony. Upon the opening of a term of court, one of the first duties of the clerk is to swear the grand jury. Directing the one who has been selected as foreman to stand up, he hurries through with the prescribed form in a manner scarcely intelligible to those even who are familiar with it.

The rest of the grand jury are then sworn in squads and platoons, without having the oath repeated to them, and at the close the man of cleanliness and refinement is compelled to bow down and kiss the same ancient and greasy volume, which for years has been used for similar purposes, with his next neighbor whose mouth has never known a tooth-brush, whose lips are dripping with tobacco-juice, and whose breath is redolent of whisky and onions. Is it remarkable that some should prefer to be sworn with the uplifted hand? Then as each witness takes the stand, the Supreme Being is again called in by the clerk to assist in the judicial proceedings and to brace up the witness to do his duty. Jeremy Bentham, in 1817, wrote of oaths in his strange style: "On the supposition that, by man over the Almighty, power should to this, or any other purpose, be exercised or exercisable, an absurdity than which nothing can be greater, cannot be denied to be involved; man the legislator and judge, God the sheriff and executioner; man the despot, God his slave. . . . God is a negligent servant indeed, but still a servant; He disobeys the orders nine times out of ten, but he pays obedience to them on the tenth."

In many of the Western States witnesses are sworn *en masse*, to save time. While the ordinary business of the court is progressing the clerk finds it convenient to add to his own emoluments by increasing the number of American citizens. On such occasions another oath is employed, the termination of which at a little distance sounds very much like "s'port the Conshetushun United States, so help-yeh God —— five dollars, sir." To an enlightened American of the present day, whether he is an orthodox Christian or an advanced Freethinker, the practice must appear not only useless and absurd, but reprehensible and pernicious.

Do oaths at this time assist courts of justice in arriving at the truth? Do they not rather, with all the cumbersome strictures connected with them, prevent the truth from being obtained in many instances? To exclude a man who is strictly moral, honest, and conscientious from testifying in a court of justice for the reason that his belief differs from that held by a majority of his neighbors, while every fawning hypocrite is permitted to do so, is an absurdity. The absurdity, however, existed in all the States of the Union until quite recently, and yet exists in many of them. This absurdity appears yet more

conspicuous when we consider the present views entertained by many on the subject of plenary inspiration and the great progress made at this time in liberal thought and in agnosticism.

It may be urged that at the present time a man, no matter what his belief is, cannot be excluded from testifying on account of that belief. But, admitting that to be the fact, what right has any class in this country, where we have no State religion, to impose a disagreeable form of this kind upon any one? How can the members of such a class justify themselves in compelling any man in open court to make such statements in reference to his religious views as may subject him to distrust and obloquy? Such to-day is frequently the result when a person refuses to be sworn according to the form most in use.

If, as Jeremy Bentham attempted to prove more than sixty years ago, oaths were useless, absurd and pernicious, how must they be regarded in America to-day, from whatever stand-point we may consider them? He proved quite satisfactorily that the custom of taking oaths, especially of an official nature, led to continual perjury, and that men swore to do things which they had neither the will, the intention, nor the ability to perform.

To an untrammeled thinker, whether an advanced skeptic or one strictly orthodox in faith, strong arguments must present themselves for abolishing all forms of oaths. If, as it would appear, the only benefits to be derived from them are an additional appeal or incentive to the person taking them to tell the truth or to perform his agreement, then there is certainly but little reason for retaining them. Upon the other hand, are there not numerous reasons for dispensing with them? Unless an oath is taken strictly in accordance with certain forms, it is pronounced null. Technicalities multiply about the mere form. Many proceedings are declared nugatory because such forms have not been precisely followed. Thus interests of great value are impaired through the carelessness or ignorance of a clerk or notary. While from past experience it appears that an oath is binding upon the consciences of but few, it is certain that it has precluded many conscientious men from testifying as to important matters, and from holding offices the duties of which they were well qualified to perform.

In this land of freedom no particular religious faith is recognized. Why should ancient forms of religion and of superstition

be insisted upon? While liberal laws have been enacted which permit a person to be affirmed or to swear in the presence of the Ever-living God without making use of the Gospels if he so desires, what benefits can accrue from maintaining a practice which shocks the sensibilities of one class of the community and excites the derision of another? Why would it not be sufficient if the laws provided ample penalties against all who should give false evidence upon the witness-stand, and that the clerk of the court should distinctly state to each witness at the commencement of his examination what those penalties were? Why not adopt a rule which in this enlightened age will permit all citizens of this great country—whether their beliefs accord with that of Washington or of Penn, of Jefferson or of Parker—to give their testimony in court, or to enter upon the duties of office, on the same equality and under precisely similar forms, without enacting what may seem to be a sacrilege to one and a mummery to another?

EDWARD A. THOMAS.

TORNADOES AND THEIR CAUSES.

THE fatality and frequency of tornadoes in the great Central West have recently invested these phenomena with an interest which must continually deepen as the regions they ravage become more thickly populated. The tornado is a local disturbance, its sweep limited, its duration at a given point but a few moments, and it is speedily exhausted, like the raving maniac, by the paroxysmal expenditure of energy. But if it lacks the vast geographical scope, the stately, ponderous tread, and the self-sustaining life of the ocean-hurricane or the regular continental cyclone, its masked, eagle-like movement and concentrated intensity make the fleeting meteor, which strikes and scars the earth as if it were hurled by a "supernal power," a more dreaded visitant and often a greater engine of destruction. There seems to be a wide-spread impression that, with the deforesting and settlement of the West, tornado-visitations have increased, so that a prominent journal recently raised the question whether their frequency and destructiveness will not have "a permanent effect on the settlement and prosperity of the country." We are even told that in some places the alarm created by these storms is so great that "the people are not only digging holes in the ground and building various cyclone-proof retreats, but in many instances persons are preparing to emigrate and abandon the country entirely." Whatever may be thought of such reports, the gravity of the subject warrants the present inquiry into the nature and causes of our interior tornadoes, as well as into the extent to which they can be foreseen and guarded against.

In this inquiry the term "tornado," it is premised, will be used in its proper sense—referring exclusively to that type of storm which, whether cyclonic or anti-cyclonic, is marked by excessive rarefaction, so that liquid, and even solid, bodies may be drawn up into its vortex, and which falls with more than "hurricane force" upon objects in its path—not confounding it with the

"cyclone," or the "thunder-storm," both of which may be very destructive, but, nevertheless, generally manifest less intensity of action than the tornado. In many meteorological works, tornadoes figure under the titles "whirlwinds" and "*trombes*," and are sometimes termed "thunder-storms;" while marine tornadoes are called "waterspouts" ("*trombes de mer*"), and those of the desert, "dust-storms." Though the atmospheric conditions which usually attend tornadoes are similar to those originating the famous storms ("Pamperos") which, chiefly in summer, sweep down from the Andes on the Pampas of Buenos Ayres, the two phenomena are distinguishable.

The geographical areas within which the true tornado is most frequently developed, will be found in or near the extra-tropical regions, where the great anti-trade currents encounter the polar winds. On March 26, 1875, a typical Indian tornado occurred in the valley of the Jumna River, about three hundred miles south of the Himalaya Mountains, presaged by "a fiery appearance or ruddy glare" and "a booming, whirling sound as loud as the firing of a cannon," uprooting trees and moving in a "north-eastward" direction with the south-west monsoon. The similar Indian tornado of May 5, 1865, struck near Pandooah, on the East Indian Railway, cutting a track two hundred feet wide, destroying the greater part of two villages and killing twenty persons. The "dust-storms" of Upper India and Sind, described by Baddeley, carrying before them several distinct and large whirling columns of sand; the "vagrant" whirlwinds of Nubia, described by the African explorer, Baker, as occurring in April, May, and June, careering over the boundless desert, "traveling or waltzing in various directions;" the Mediterranean "typhoons," as Admiral Smyth calls them, the Australian "bursters," and our own tornado-belt, covering at least the whole Mississippi Valley, all help us to define the geographical parallels within which these meteors are most destructively felt. Europe, shielded by the Alps and other mountain-ranges, which serve to break the force of the anti-trade current, is comparatively exempt from tornadoes of the American type, though the Italian thunder-storms and the hail-storms of Southern France display, at times, force rivaling that of the tornado. Beyond the sixty-fifth parallel, Scoresby, in all his Arctic voyages, but twice witnessed lightning, and explorers of high latitudes (as Phipps, in 1773, and Parry, in 1827) have passed whole summers without

seeing it. We may safely conclude that beyond fifty degrees north, while thunder-storms are not unknown, tornadoes are scarcely possible, and it is very doubtful whether a true tornado has ever been reported within ten degrees of the equator.

In thus defining the geographical limits of this storm, we may hope the better to get at its real nature and causes. A tornado consists of a mass of air in violent gyration, within which there is a center of rarefied air rising upward and flowing out above, the velocity of the surrounding atmosphere, drawn into the vortex below, increasing immensely as it nears the vacuum. Though in one sense a small cyclone, the tornado has a peculiar center, not disk-shaped, as that of the regular cyclone. One condition of its formation is no doubt the excessive heating of the lower atmospheric stratum, and its consequent expansion to such a degree that the vertical equilibrium is destroyed and convection currents suddenly set up. A simple experiment with a piece of smoking paper, placed under a burning drop-light fitted with a chimney, will show that the ascending smoke, in and after passing through the chimney, acquires a slight gyratory motion. The same motion takes place in any body of surface air, when the state of unstable equilibrium is established, and it shoots upward. A fine example of this was observed by Humboldt, when crossing the high South-American plateaux during the hot season. "The earth, wherever it appeared sterile and destitute of vegetation," he says, "was at the temperature of 86° to 90°; not a breath of wind was felt at the height at which we were on our mules; yet, in the midst of this apparent calm, whirls of dust incessantly arose, driven on by small currents of air which glide only over the surface of the ground, and are occasioned by the difference of temperature between the naked sand and the grass-covered spots." But, in the case of the tornado, some other force than that due to the destruction of stable equilibrium is necessary to account for the tremendous and long-sustained gyration. If a tornado could be formed by the simple action of the sun on the earth's crust, causing the superincumbent air to ascend, even though it should be in large masses, we should hear of tornadoes occurring over some parts of the country almost every day in summer. They would, moreover, instead of being confined mostly to the spring and first half of summer, be most frequent in the last half of summer, when the maximum temperature of the soil is reached, and we might confidently

expect that many arid regions, where travelers have never encountered these storms, would be torn and furrowed with countless tornado tracks. It seems evident that the gyration of a real tornado (which is sometimes with and sometimes contrary to that of the clock hands) is not merely that which every ascending mass of air acquires, but a motion initiated or increased by the conflict of great aërial currents, one of which, at least, is moving with high velocity. "The whole column of gyrating air," as Professor Ferrel clearly puts it, "is like a tall flue containing very rarefied air, the centrifugal force of the gyrations acting as a barrier to prevent the inflow of air from all sides into the interior, and if the gyrations at the earth's surface were as rapid as those above, it would be similar to such a flue with all the draught cut off." Near the earth's surface, however, the gyrations and, consequently, the centrifugal force are greatly diminished by friction, and thus the air is allowed to rush in from below, and supply the draught of the ascending current. The tornado center may, therefore, be conceived of as a rapidly rotating, tall, and somewhat cylindrical body, moving erect or slightly inclined over the earth, and powerfully drawing up into its vortex all movable matter on the surface. The funnel-shaped cloud is formed around the upper part of the central whirl by the condensation of vapor carried upward to colder regions, and also, probably, by the condensation effected by the cold north-westerly winds which rush into the rear of the storm.

The progressive movement of such a meteor cannot be explained as is that of the ordinary cyclone. The average velocity with which continental and ocean cyclones travel, as deduced from hundreds of instances, is about twenty-five miles per hour. But the rate of translation observed in tornadoes is very much greater. The Alabama tornado of March 20, 1875, traveled seventy miles an hour over a portion of its track; the Georgia tornado of the same date sped on its disastrous way at the rate of fifty-seven miles an hour; the Illinois tornado of June 4, 1877, moved at the rate of thirty-seven miles an hour. The observed rate varies widely in different cases, but, perhaps, an average of forty-five miles an hour is attained by this class of storms. The ocean hurricane owes its progressive motion not only to the general atmospheric surface-current in which it is imbedded, but also to the fact that it is ceaselessly, while dying out in the rear, forming a fresh barometric depression in its

front. If the tornado center is what it is supposed to be, it can hardly be conceived of as working its own way, with the tremendous velocity attributed to it, by the process of continual renewal in its front. Its translation must be due to the impulses it receives from the great atmospheric current in which it forms, and its velocity must be substantially that of any body borne along mechanically (as an eddy in a rushing stream of water) by the aërial current in which it is suspended. The West Indian hurricanes, while in the slow-moving trade-wind current, before they recurve on our South Atlantic coast, advance with a very tardy gait, and not infrequently remain nearly stationary for a day or two. The progressive motion of a tornado in the trade-wind belt would be much slower than that of a hurricane in the same location.

To get a clear idea of the tornado's behavior, we may briefly note the facts reliably reported by Mr. F. A. Howig, a citizen of Grinnell, Iowa, in connection with the tornado which overwhelmed that city on the 17th of June last. From the carefully written statement of this eye-witness, it appears the Grinnell tempest traversed the distance of about two hundred miles in four hours, pursuing a zigzag course. "It did not always visit the earth's surface, but often passed so far above as to inflict no injury, but again would swoop down with relentless fury, carrying destruction for a few miles to every object in its path." . . . "At about eight o'clock (P. M.) our attention was called to a most singular appearance of the sky a little south of west from Grinnell. It can be best described as like the reflection from the setting sun, yet in this instance such could not be the case, as it had not only disappeared below the horizon thirty minutes before, but the position of the phenomenon and the mass of dark clouds beyond would render such reflection impossible." Three or four hours previous "light, fleecy clouds" had overspread the sky, with but slight movement in any direction, and, subsequently (about 6.15 P. M.), "dark storm-clouds, were seen in the western horizon, moving slowly upward toward the zenith." But it was not till near 8.20, that the wind, "which at first was a gentle breeze, increased to a gale;" and twenty minutes later "the dreadful roar that preceded the coming of the destroyer was plainly heard in the north-west." "The storm-cloud proper," says this witness, "entered the city from the south-west, cutting a swath through the most densely populated portion seven hundred feet wide,

killing forty persons instantly, displacing two heavy freight-trains from the rails, and carrying upward light objects to a great height, which were afterward found thirty and forty miles distant." In the Cincinnati tornado of May, 1809, there was a record of "violent cross-currents among the clouds," and a similar observation is generally made in tornadoes carefully reported. In that which Mr. Howig so graphically describes, the storm-bearing current was moving "from the south-west," but the fall of hail, and the roar "in the north-west," indicated the presence in the latter quarter of an opposing current.

The causes which operate in the initiation and translation of tornadoes are thus brought into view. The Mississippi Valley is a grand continental highway in summer for the vapor-laden trade-winds which, entering the Gulf of Mexico, are arrested in their westward movement, and must find an outlet to the northward. Moreover, the anti-trades, which form the "equatorial" current, are simultaneously pressing northward, especially at that season, as an upper atmospheric force, and after leaving the tropics stream away to the middle latitudes with a velocity which, if estimated by the observed velocity of the cirrus, cirro-stratus, and cirro-cumulus clouds, reaches, at times, one hundred and fifty miles an hour. As the Rev. Clement Ley, the English meteorologist, has observed, it is nothing uncommon to see these "upper-current clouds" moving from the south-west at the rate of one hundred miles an hour. Considering, then, the geographical relation of the Mississippi Valley to the great equatorial current which glides over it, gradually descending toward the surface of the earth, and which is underrun in summer by the trade-wind current diverted northward from the Gulf, it is not remarkable that our "Central West," lying also within reach of the polar winds from the Rocky Mountain plateaus, should be the scene of the most terrific aërial disturbances witnessed on any part of the globe. That the existence of an upper current from the tropics, flowing in a north-easterly direction in summer over the Mississippi Valley is not merely hypothetical, a glance at the wind observations made by the U. S. Signal Service at Pike's Peak, more than fourteen thousand feet above sea-level, will show. The result of these observations for 1874, "agrees," as Dr. Woeikof states, "with the generally entertained opinion as to the prevailing direction of the upper atmospheric current from the west-south-west, in the middle and northern latitudes." For

the five years, 1875 to 1879, the prevailing winds at this high mountain station, as given in the Signal Service annual reports, were both in spring and summer, from the south-west, with a slight deviation in the summer of 1876; and during May and June (the chief tornado-months) of 1880 and 1881, the preponderance of winds on the Peak, as the Signal Service monthly means show, was in favor of the south-west. Were this lofty lookout station in Missouri, instead of in Colorado, the indications it affords of the sweep of the upper (or "return") trade current would in all probability be still more conclusive.

This vast atmospheric movement, the intensity of which augments as the summer solstice approaches, has apparently much to do with the origination of tornadoes. Being an outflow of ascended air from the equatorial calm belt, it advances northward with the vernal advance of the "thermal equator," which, by June, has followed the sun from "the line," nearly, if not quite, up to the lower Florida parallels. This movement may not be a steady "*Gulf Stream in the air*," as some have regarded it, but is rather to be viewed as a sustained series of pulsations from the medial line (the movable "thermal equator"), toward which the surface winds blow, and over which the air they bring must ascend and be massed, and, as it moves northward through high regions of the atmosphere, continually descends toward the earth's surface. To use the words of Mr. Colding, of Copenhagen: "As the upper currents of the atmosphere get beyond the tropics, the air grows heavier and gradually breaks its way (in our hemisphere) toward the north, alongside of the cold air-current which moves toward the equator." As the gap between the surfaces of the two currents depends on their velocity, "any chance stoppage of one of these currents," he reasons, "will cause it to impinge against the other, either from the north-west or south-east, thus producing an eddy which moves against the sun," and hence, the eddying winds thus formed, "under extraordinary circumstances, may increase to tornadoes or hurricanes, with all the corresponding natural phenomena." * The data hitherto collected, bearing on the remarkable characteristics of American tornadoes—their enormous progressive velocity, their "swooping down," or descending movements which make them so destructive, their display of electrical energy, the torrential rains that accompany them, and, above

* See "Smithsonian Report," 1877. pp. 457-9.

all, the coincidence between the sharply marked period of their occurrence with that in which the upper or return trade-wind current must be pressing northward with maximum force — all go to show that the explanation put forward by the Danish meteorologist and engineer of how these gigantic meteors may be formed, explains how many of them actually are formed. A striking confirmation of this conclusion is presented by the general direction of tornadoes, which is identical with that of the upper trade-wind and the anti-trades. The New Brunswick tornado of June 19, 1835, the great Natchez tornado of May 7, 1840, that at Cambridge, Mass., August 22, 1851, traveled from west-south-west toward east-north-east. Mr. Henry Calver, formerly of the Signal Bureau, who made a very careful study of these storms, reported: "In examining the history of over fifty tornadoes which have occurred in various portions of the United States during the last eighty years, I observe that the general course of these storms is eastward, with a greater or less defection toward the north." Therefore, he well suggests: "A person who saw a tornado approaching from the west might escape if he ran southward, while he would very probably be caught in the vortex if he ran northward." We cannot conceive of a tornado rushing along over the earth's surface, with a velocity of sixty or seventy miles an hour, in a north-easterly direction, without supposing it to be impelled by a *vis a tergo* acting on it mechanically from the south-west. If its direction were determined by surface-winds, caused by alternations of barometric pressure, and backing or shifting as neighboring areas of high and low pressure altered their relative positions, tornadoes would fly in every direction, and not be so uniformly confined to a north-eastward path. This is the tornado's normal path, as the most recent and comprehensive researches prove. The Book of Job, the scene of which was laid on the borders of the Syrian Desert—"the land of Uz"—was marvelously correct in saying: "Out of the south cometh the whirlwind."

The peculiarity of tornadoes in *descending* from the higher aërial strata and striking downward to the earth, while sweeping onward, is in keeping with the foregoing deductions. Leopold Von Buch was the first to show clearly the same tendency of the return trade-wind and the effect of its descent on the winds of the temperate zone. Humboldt, ascending the Peak of Teneriffe (twelve thousand eight hundred feet high), in the tropical Atlan-

tic, on June 21st (the summer solstice), was scarcely able to keep on his feet for the violence of the return-trade, which Piazzi Smyth found, on the same cone, had no force at the altitude of nine thousand feet above the sea. The apparent *ricochetting* of tornadoes over the earth in the paths they traverse seems entirely accordant with their being borne bodily forward in the slowly descending upper trade-current, which becomes a surface-current beyond the torrid zone.

Again, the parallels of latitude on which tornadoes assail the earth seem to vary with the sun's vertical position north or south of the tropic, precisely as the whole belt of trade and anti-trade winds moves north and south, as the sun advances to the tropic or recedes from it. Thus, these storms usually descend on our Gulf-bordering States in the early spring, while their irruptions on the plains of the Upper Mississippi and Ohio Valleys occur in early summer; still later in the season, though rarely, they fall upon the Atlantic seaboard, north of Maryland—the Alleghanies, in the more elevated parts of the range, acting as a barrier which they cannot pass—but, with the sun's retreat southward, and the "remission of the south-westerly winds," which, Mr. Redfield points out, occurs in autumn, we hear no more of "Western Cyclones."* There are notable exceptions, but this appears to be the rule of their geographical range.

In this inquiry no attempt has been made to explain the intense rarefaction of air in the tornado-center, except by the centrifugal force of the air-masses, set in violent vorticose motion by opposing currents. "The forces of nature are few and simple," says Mr. William Blasius, whose investigations of tornado and cyclone phenomena have been long and well known, and for the production of a tornado, in his view, "only two opposing currents of air, in a peculiar but not uncommon condition, with a particular configuration of the earth, not at all infrequent," are necessary. The central vortex, it should be

* A classification of twenty-five typical tornadoes (the most destructive meteors of this kind which have become historic), with reference to the parallels of latitude at which they descended to the earth, and to the months in which they occurred, shows, approximately:

Between March 1st and April 15th, five occurred in the mean latitude of 32° N. Between April 15th and May 30th, eight occurred in mean latitude 37° 45′ N. In June, six occurred in mean latitude 40° 45′ N. From July 1st to August 31st, six occurred in mean latitude 42° N.

said, must—at least in a long-sustained tornado—be maintained by excessive condensation and precipitation of ascending aqueous vapor. The fact that tornadoes usually, if not always, burst upon the earth in the warm hours of the day (between one and nine P.M.), when the lower atmospheric strata are most heated, shows that the surface temperature conditions are also essential to their development. We do not propose to discuss the nicer dynamical questions suggested by the phenomena, but we cannot close without briefly viewing them from a practical stand-point.

Can tornadoes be foreseen and predicted? With a prompt telegraphic service, furnishing simultaneous weather reports from the threatened districts in the morning of each day, a competent meteorologist can certainly warn the public that the conditions favorable to the formation of these tempests exist, and, if present, he would often be able to give more specific warning. The barometer does not necessarily fall with the approach of the most fatal tornado, and the mercury may even rise in the instrument a short time before the well-marked signs of the storm appear. But when an area of low pressure is passing near and north of a place, with an area of comparatively high pressure struggling to get into its rear, the conditions are present for the formation, or, more correctly speaking, for the descent of an already formed tornado. As the critical hour of its appalling approach draws near, the painfully still and sultry air, the strange commotion in the upper atmosphere, "violent whirling of the clouds," "scud clouds moving in different directions," "the upper clouds moving briskly northward, indicating the existence of a southerly upper current," a vast volume of "inky-black and low moving cloud," sometimes of "dun," "dark-blue," or "coal-smoke" color, illuminated by electric discharges, occasionally in the shape of a funnel, an inverted cone, or an hour-glass, are among the surest and most carefully observed premonitory signs of the tornado's deafening roar, though its ominous noise is sometimes audible half an hour before its arrival. With such sky-portents, it is obvious that a local weather-watcher, apprised by timely weather-bulletins of the existence of conditions favoring the generation of tornadoes, would be in position to forewarn a Western village or town of impending danger. But it is probable that, for local warnings of this kind, each community will always have to rely mainly on itself, or upon its own State weather-service. The successful

prediction of a full-fledged tornado is a triumph yet to be won by meteorology. For it almost seems,

> "The strife of fiends is on the battling clouds,
> The glare of hell is in these sulphurous lightnings;
> This is no earthly storm."

It is not beneath the dignity of the ablest investigators to find some safeguards for those communities whose homes are liable any day in summer to be ravaged by this fell destroyer. Is there any escape or protection from the tornado? Undoubtedly there is. It is true, the terrible meteor may descend with fatal effect on any spot near the path of its progress, whatever may be the topography of the country—hill or dale, or the flat prairie—in its *ricochet* motion. But as, with extraordinary uniformity, tornadoes have always been known, in our hemisphere, to travel from west-south-west to east-north-east, it would follow that a house or a town built in a valley running from south-east to north-west, or on the north-eastern and eastern slopes of a hill or range of hills, would be considerably sheltered, and the probabilities of a desolating visitation be greatly lessened. Even a gentle "rise" of ground, a little west-south-west of a town, might suffice to alter the tornado's course, causing it to rebound from the earth and pass over the otherwise devoted city. In selecting sites for Western farm-houses, railroad stations, and villages, it would certainly be very desirable to have regard to these considerations, giving the preference, *ceteris paribus*, to locations having an eminence on their westerly and southerly sides. Retreat, on the clear indications of this tempest, to cellars or excavations, is often the means of saving life. "Hundreds," on the approach of the recent Grinnell tornado, says the writer who describes it, "sought refuge in cellars and caves, and were thus saved from death, one only being killed who had taken this precaution." On the open prairie, where no topographical feature of the ground affords immunity, it cannot be considered superfluous for every household, when possible, to provide itself with underground and storm-proof retreats, having some means of ventilation in case the *débris* of wrecked houses should cover it.

Lastly, is there a probability that, with the closer settlement of the West, tornadoes will become more frequent? These storms have been vaguely recorded in early annals of the Mississippi Valley; but it must be admitted by all who have investi-

gated such records that tornadoes of the type we have here considered were rarely witnessed by early western pioneers, or, if witnessed, the phenomena did not appear to them worthy of special and accurate mention. Indeed, it would be difficult to find in the many narratives of western exploration an account of such a tornado as recently destroyed Grinnell, though it seems highly probable that, had such a tempest visited any of the original settlements near the Mississippi with fatal results, it would have found numerous chroniclers. Historical accounts of hurricanes visiting the Carolinas and the Gulf States, in the memoirs of Drayton, Ramsey, Barton, Gayarré, and other writers, extend back beyond 1700; but we find few, if any, notices of clearly defined tornadoes occurring in this country during its colonial history. Had the latter disastrous storms been frequent at the time Mr. Jefferson (himself a painstaking meteorologist) wrote his "Notes on Virginia," and other extended and accurate accounts of the meteorological peculiarities of the country, they would certainly have figured in such dissertations more than they do. The paucity of references to well-marked tornadoes in early notices of American climatological events may, however, be easily ascribed to other causes than the absence of the phenomena. In the old forests, from the Gulf States to Canada, particularly in Western Pennsylvania and New York, as Mr. Blodget has noted, "the tracks of those (tornadoes) which prostrated the older growth a century since may still be traced by the belt of trees of uniform size and peculiar aspect which grew up subsequently." "From the clue to frequency which such tracks give, these storms," he adds, "must be placed at very remote intervals for any one locality." But, after weighing the reasons assigned for the apprehended increase of tornadoes—denudation and deforesting of the soil, and consequent diminution of rain-fall, and aridity of the country—they have apparently but little force. The clearing of the soil from its original vegetation, by increasing its power to radiate solar heat, and hence to initiate a condition of unstable equilibrium in the air, undoubtedly will exert a very slight influence in the production of these storms. But this condition is only one of several meteorological conditions requisite for the formation and descent of a tornado. If aridity of soil was sufficient to bring about the phenomenon in question, it would abound in the trans-Mississippi Plains more than in the immediate Mississippi

Valley, and in many rainless regions of the globe in which the tornado proper rarely occurs. Man's agency on the earth may, perhaps, slightly modify local climatic conditions. But, for the specific reasons here presented, man is as powerless to work any change which will augment or diminish the number of tornadoes, or to disturb the ponderous atmospheric machinery which produces them, as the puny fly is to retard or accelerate the motion of a powerful steam-engine. No such change can be wrought, without involving a derangement of all the grand factors of terrestrial climate, and destroying its permanence and stability. Plausible have been the various theories and prophecies put forth by some, announcing coming physical changes of grave import. But these meteorological catastrophists forget that the rain-drop and the storm—the humblest and the grandest phenomena of the atmosphere—owe their existence to the same cyclopean forces, and that these forces are unabated by any changes known to be going on upon the earth's surface. We may safely turn for relief from such theories to that primitive promise which was given to Noah, and which abides uninvalidated: "While the earth remaineth, seed-time and harvest, and cold and heat, and summer and winter, and day and night, shall not cease."

T. B. Maury.

ARCHITECTURE IN AMERICA.

If, as Emerson said, "All men love a lover," it may be said, with almost equal truth, all men love a house. For, on what foundations is the house built, if not on love and marriage, and is not the primal purpose of its roof to shelter lovers? The most beautiful house is not that on which art has most labored, embroidering it with her skill—carving it without and painting it within; but that which at once, and more and more with examination, shows itself fitted in its plan and by its proportions for human occupation and enjoyment. This is why, in every land, the cottage attracts the eye more strongly than the palace, or the substantial house of the rich man of the place; it expresses in simple forms, almost as by visible speech, the homely every-day needs and employments of its inhabitants, concealing nothing, disguising nothing. The kitchen, the wood-shed, the ironing-room, are in plain sight; the bread-oven swells from the wall as it were the life-giving breast of the house; the well, with its sweep or its pulleys, hospitably invites the passer-by with the prospect of a cool drink. A fastidious elegance has never taught the cottager to conceal the facts that cooking, baking, washing, and ironing, go on beneath his roof. No architect has sophisticated away his chimneys behind make-believe battlements, nor tempted his honest gutter to hide itself behind a senseless cornice. Even the smells of the kitchen, which in a city-house—often only the chimney by which these smells are carried off—are a constant offense, become appetizing in the cottage, where the kitchen has its right as a legitimate part of the building; and the odor of roasting coffee, baking bread, and even of roasting beef and mutton, are found in harmony, in their times and seasons, with roses and honeysuckles, when mixed, like these, with all the air there is beneath "the canopy." Did not Lord Bacon himself, most fastidious of mortals, praise the scent of

the honeysuckles "so that they be somewhat afar off"? And, who, on a fine day in spring or autumn, would object to seeing the "week's wash" hanging out to dry? Nausicaa always seemed to me a princess of the right stamp, she so enjoyed washing-day; and Homer, prince of poets that he was, had the eye to see how well the task became her and her maidens. And did not our own Thoreau—he, or some one with as little fear as he of an unconventional image—compare the clouds to the clothes of the Gods hung out to dry after an Olympian Monday?

The cottages and small houses of the last century—scattered, not infrequently, over the older New England States, particularly over Eastern Massachusetts, and found plentifully in New Jersey, not so plentifully in New York—are the true type of a domestic architecture fitted to our climate and to our general mode of living. No doubt, although they are built with few exceptions of wood, their original model could be found in England, a country the charm of whose rural building consists greatly in the fact that stone or brick is the material universally employed. With the exception of what are called half-timbered houses, I did not see in England a wooden house. In the older villages of Massachusetts, along the coast, it is as rare to find a house built of any material but wood. That the model the builders of these New England houses had in mind, and which they modified to meet their new wants, was a stone model, appears, however, wherever ornament is attempted, or the graces of "architecture" are sought to be added to the bare necessities of "building." And in the larger houses built by the earlier inhabitants, the whole external structure, and much of the internal fittings, is a direct imitation of stone-construction. Those familiar with the old town of Gloucester, in Massachusetts, will remember the handsome houses of Dr. Dale and Captain David Low—the former still standing, the latter unhappily gone—destroyed to head off an advancing fire that ate up half the town. The house of Dr. Dale was the more picturesque of the two; its well-balanced proportions, the perfectly domestic expression of the whole, showed a feeling in the builder that to-day cannot be found among builders at all, and is so rarely met with in architects, that I think I could number all the instances I ever knew on my thumbs. Other examples than those I have named will be familiar to my readers. Abundant illustrations of their general characteristics may be found in Mr. Arthur Little's "Early New England Interiors;" and

one example, that of the Cragie House at Cambridge, has an interest for all of us, as having been the headquarters of Washington while the army was in those parts, and later the life-long residence of Longfellow. The exterior of the poet's house had nothing to recommend it, but the internal arrangement and fittings were comfortable, dignified, and, in parts, picturesque. The entrance-hall, in particular, always seemed to me a model in its kind. With the exception of certain details, principally those of the chimney-pieces, there is little in these more pretending houses that can interest us or be of profit in our architectural studies. I might call attention to the thorough way in which all the work about them is done, were not this thoroughness a characteristic of the time, shown in everything, from the exquisite sewing of the women—an art as utterly lost out of the world to-day as if it had never existed—up to the framing of wooden church-spires, such as that of St. Paul's in New York, which stood a hundred years before it needed repairing. So well built are these large houses of the colonial time, that it is only from the æsthetic side they can be condemned for their servile imitation of stone-construction. Practically, they seem to be as enduring as if they were really made of stone, particularly where they have been well cared for. As houses merely—places where human beings can be healthily and comfortably housed—they are without fault; they have dry, large, well-built cellars and strong foundation-walls; they are built of sound, well-seasoned timber, scientifically framed, and without a single one of the miserable make-shifts that discredit modern carpentry; and the skeleton of the house once set up, the whole was covered with wooden sheathing, which, whether it was honest clapboarding or planks laid flat to imitate ashlar (the angles in many cases cut to imitate chamfered stone quoins), was always of the best material and workmanship. Within, they were well planned for comfort, and with ample provision for elegance; so that to-day, when life, directly the opposite of what it then was, is almost wholly external and given up to making a show, these handsome old-time rooms easily lend themselves as frames and background to the luxury of modern fittings and furniture.

But it is in the cottages and smaller houses of the colonial times, and of the times immediately succeeding the Revolution, that we find the best models for imitation or for suggestion. They were for a long time despised or simply neglected, while

we, in our callow youth, were going through our "classic" mumps and "gothic" measles, and near to perishing with the dreadful visitation of the "Mansard" malaria. But, within a few years, these houses have been rediscovered, as it were; their intrinsic excellencies are recognized, and borne in mind by a score of young, ambitious architects, who would make better use of their models if they were not egged on by their own ambition and by the demands of their clients to play so many fantastic variations on these clear and simple themes. Of course, no architect is expected to bind himself to the copying of one particular model, were it never so perfect. Nor could he do so if he would. The needs of no one time exactly resemble the needs of another, and it would be absurd to expect the late nineteenth century to find itself completely at home in the houses of the eighteenth, or even in those of its own earlier years. This, that we are living in, is a time of universal self-indulgence and love of ostentatious display; and how could such a generation content itself in the houses of its poor and ascetic ancestors?

But, while one generation differs from another in this, that, or the other superficial characteristic, all generations are alike in substantials, and it is in substantials that we can learn from the architecture of our forefathers. It was in a sense of proportion, of picturesqueness, and of comfort, that the old builders excelled; and it is in a sense of proportion, of picturesqueness, and of comfort, that our builders and architects are particularly wanting. There is, however, one important fact to be remembered. What we now are obliged to ask others to do for us, our forefathers used to do for themselves. We have no mention of the arrival of the first architect on these shores, but he was at least one thing that did not come over in the Mayflower. Better-informed persons than I am will know whether the old buildings of colonial and revolutionary times I have been praising were designed by professional architects, or were the work of mere builders; but I believe there can be no doubt that the handsome houses in Gloucester, Portsmouth, Hingham, Cambridge, and other Massachusetts towns,—the houses that made old New York so dignified a city, and those that still give to little Newport an air of consequence; or those, again, to which some of the New Jersey towns and cities owe their ancient aspect, that makes the frequent discoveries of mastodons and other fossils in the soil seem quite in keeping—there can, I believe, be no doubt

that all these houses were the work of simple "builders," who knew their trade and never cared to give themselves a finer name. And what is true of these houses and churches is also necessarily true of the cottages and small houses; for if architects had been needed to build the better sort of structures, the lesser sort would never have been so good as they are. The general excellence that marks the dwellings of any people is a proof of the non-existence of professional architects among that people. Where architects abound, the art of building always deteriorates. Did architects design the houses of Venice? Architects may have designed the bad ones, but never the good ones. As soon as architects got themselves fairly established in Venice, her shabby days began. But, to take more humble examples, consider the cottages of England, the châlets of Switzerland: is it not evident that they are the spontaneous outgrowth of a general good taste that stood in no need of "assisting." And even in England, where the profession of architecture, owing to the great patronage of the noble and wealthy classes and of the Government, has reached a high condition of skill and technical taste, everybody must have remarked the incongruity between its productions at the best and those of the older people, created before there were any architects other than clerical and monastic amateurs.

Every old church in England looks built by the same hands that built the old houses that nestle about it; or, rather, church and houses look as if they had not been built at all, but had grown, and grown out of one root. Let the best architect in England try to replace one of these old churches that may chance to have been destroyed, and, no matter how familiar he may be with the architecture of the period to which the old church belonged, the new one will look like an interloper.

It is to architects that we owe all the ugly building that offends us in our large cities and in our country towns and fashionable summer quarters. And I will grant that it is to architects that we owe, nowadays, the few, the very few buildings on which our eyes can look with any pleasure. The work of the professional builders is always in these days an eye-sore, but the builders simply follow the patterns set before them by the architects. A builder must call himself an architect before he can be employed in any important work to-day. The man—I forget his name—who built Mr. A. T. Stewart's house and iron shop, and

many a structure beside, was called an architect. Architects, too, are responsible for the churches on the Back Bay lands of Boston. An architect built the one with the foolish frieze of sculpture encircling the lofty, awkward tower, and wholly unintelligible from below! Costly sculpture—ugly and unintelligible, it is true, but costly for all that, and by Bartholdi, a man whose works seem by some fatality to have been unloaded upon this bedeviled land, as if we had not sculptors enough of our own, quite capable of work as bad! And this sculpture is put, as I say, at the top of a lofty tower, where no human eye, unless armed with spy-glasses, can make it out—a proceeding not easily reconciled with one's notions of Boston, where, if anywhere in the country, the laws of æsthetics and the limitations of the art are supposed to be understood, at least, if not spiritually discerned. And another architect built the church in that Back Bay quarter, dedicated, we suppose, to some female saint, since it has for emblem on the top the completest Saratoga trunk—to what end, unless an emblem, no mortal could ever tell me, nor I by my unaided wits discover. An architect also built the Art Museum, so finikin fine, with its heads of great men looking out of port-holes in the most shipwrecked fashion; a senseless treatment, although borrowed from that overdone Pavian Certosa, where so much is to be seen treated in an extravagant, ostentatious manner. This particular extravagance—medals run mad, as it were—seems to have taken hold of the fancy of certain of our architects; we find it repeated again in the Sanders Theater at Cambridge, and in the Historical Society's building in Brooklyn, where that good sculptor, Mr. Olin L. Warner, has been called on to design the heads of the shipwrecked personages. If I cannot like the outside of the Boston Museum, it is the outside alone that vexes me. Wholly pleasant are the contents, and the management every way creditable to Boston: a Museum of Art, with, actually, the collection of art-material its chief object, and a generous courtesy presiding over its management. But Boston has been as unfortunate in her architects as New York, though in quite another, and, it may be thought, in a more creditable way. The Museum of Fine Arts and the Memorial Hall at Cambridge, for instance, are examples of what comes of building getting into the hands of literary, critical men, art-students, with their heads crammed full of remembered bits of Old World architecture, and their portfolios

stuffed with photographs of more and more bits. Even "Trinity," the most effective piece of building yet done in America—and Mr. Richardson is one of the few men, alas! how dolefully few, who have the stuff of a real architect in them—even Trinity owes two-thirds of its external impressiveness to its tower, borrowed almost literally from the tower of the Salamanca Cathedral. Borrowing, borrowing everywhere; an original motive almost impossible to find. For the people at large have no ideas on the subject; the "builders" have been snubbed into taking a back seat and keeping it; and in architecture, as in all our fine arts, notably in the art of painting, the field has fallen into the possession of a set of clever, accomplished, but overcultivated young men who have come back from French and English studios, offices, and pedestrian trips, with a plenty of "material" in their sketch-books, much of it good in its own time and place, but, when worked up into houses for the average American, as alien to his mode of life, to his needs, and to his character, as can be conceived. Much fun has been made—and certainly too much fun could not be made—of the fact that the doors of Mr. Wm. H. Vanderbilt's house on Fifth Avenue are reduced copies of the gates made by Ghiberti for the Baptistery of Florence. The original gates, owing to the rooted defect of their design, to their multiplication of planes and of small parts, do not submit happily to reduction; and these Vanderbilt copies have a mean appearance, and are far from doing justice to the price that was paid for them. But, were they copies as perfect as could be made, the absurdity of their being where they are at all, would be no less; yet to this absurdity the architect of the house willingly lent himself, and art-writers, supposed to have reflected on the laws that govern art, have given their warm approval, in print, to this most tasteless proceeding.

In fact, the art of architecture has not received many worse blows in this country than have been given her by the three Vanderbilt houses recently erected in Fifth Avenue—two of them by architects of high reputation. Three such opportunities will not, it is likely, occur again for many years, and they have found our architects entirely unprepared for them. Mr. William H. Vanderbilt's house is the worst of the three, and though there is a story afloat that it is carried out in its present material contrary to the earnest wish of the architect, who had intended a light-colored stone to be used, it is not easy to see how that could have

made it look less like a gigantic knee-hole table than it does at present. What an incongruity between the coarsely executed, ill-designed band of foliage that belts the entire building — one slab the exact repetition of another, and all having the appearance of being stamped with a waffle-iron — what an incongruity between this machine-work and the borders of the famous gates of Ghiberti, with their charmingly varied designs of leaf, and fruit, and flower, and bird! Where is the profit, I must ask, in being a millionaire, if all one's money cannot command better design than this? And how discreditable to the profession of architecture in this country is the fact that a man with Mr. Vanderbilt's enormous fortune, and willingness to spend it, can find no better service than has been at his disposal in building this clumsy block!

It may be said that Mr. Herter is not an architect, properly speaking, but a cabinet-maker. Nevertheless, he is, I believe, a regularly trained architect, and he is certainly a man of varied accomplishments. But, whatever may be thought of Mr. Herter, no one will deny that Mr. Richard Hunt is an architect. And, as an architect, he has certainly loaded earth with some of the most ungainly among all the ungainly structures that make our streets such a misery to any one who cares for good building. He spoiled quiet Beacon street in Boston, enjoying her dowager respectable slumber in the shade of the Common elms, by the erection of the ugliest house that I believe has ever been built this side the Atlantic. He built the Lenox Library, with its silly pediments and blank monotony of wall — a very fit tomb, however, for the mummied treasures that are hermetically sealed within. Here again we see a very rich man powerless, with all his money, to get, artistically speaking, his money's worth. And now comes the Vanderbilt house, on which another fortune has been lavished, and what is the result? Nothing but a copy, and a slavish one, of the architecture of the time of Francis I., with its entrance an adaptation of a French Renaissance chimney-piece! There does not appear to be in all this pretentious, fussy building a single new motive; it has to the student the air of being nothing but a patch-work made up of bits whose original could easily be identified with a little search. Now, we laugh at the architect who, a few years since, was persuading us all to accept his designs for civil edifices and for private houses in the Norman style, the Perpendicular style, and the style of the Pan-

theon. But, on what grounds is it any more respectable to persuade a rich man to accept a design which is only a hash of French Renaissance detail, than to persuade a corporation into putting up a university building in the style of English perpendicular Gothic, or another to erect a prison in a parody of Egyptian architecture? But all such doings make us regret the days when we had builders whose common sense and correct eye could have saved us from being made ridiculous.

If I wished to make a complete survey of our blunders in architecture, I should need, not ten, nor a hundred pages, but an entire number of this REVIEW, for they meet us at every turn. From the gigantic folly at Albany—a problem with which men of original talent like Messrs. Richardson and Eidlitz have struggled in vain, and lost far more than they have gained in the hopeless task of bringing order out of chaos—from this discreditable undertaking, to the various examples of Mr. Mullett's conceit and ignorance, that make the Government a laughing-stock whenever it puts up a new post-office in any of our cities, or a new official building in Washington, there is really, to the most hopeful eye, very little outlook that is encouraging. Some relief had been hoped for with the advent of the group of young architects who were so cordially welcomed, and who have been rejoicing like little, wanton boys that swim on bladders, these last half-dozen summers, on a sea of glory. Of their cleverness there can be no doubt, nor that they have given many of our rich men prettier toys to play with than they could have been supplied with at any former shop. But, after all, we are beginning to find that the feast they invite us to is a feast of scraps, and that the strife seems to be with them, as with our women in the furnishing of their houses, who can invent the most startling novelty. After examining many of these fashionable houses, the impression is inevitable that what should be the true aim of the architect, the comfort of the occupants expressed with elegancy, has been left entirely out of sight, and that the exhibition of the architect's ingenious fancy in the invention of "dodges," to be executed without the least regard to fitness or cost, has taken the place of the serious intellectual motives that ruled an older time. And the worst is that these offenses are perpetrated in the name of a style that was remarkable for simplicity and propriety in its ornamentation, and for the comfortable dignity of its plans and general design. It seems impossible for these young architects

to do anything quietly. They will not, if they can help it, let the eye rest for a moment anywhere. And they employ ornament in a way that cannot escape the charge of affectation. At all events, in nine cases out of ten, no reason could be given why this or that is what it is. Let any one attempt, for instance, to explain the ornamentation on the perron of the house lately built on the west side of Fifth avenue, just above Thirty-fifth street. If we met these cockle-shells and ribbons in a French château of Francis I.'s time, we should know that they were the device of some family; but what meaning have they here? and how tame must be the resources of a designer driven to the use of ribbons! The architects will, no doubt, have reason on their side if they throw a portion of the blame on the public. The public, they will say, insist on novelty, and encourage us, when we give them a little, to give them more. Great public buildings like the Produce Exchange are undertaken in a purely mercenary spirit, without a thought given to the intellectual credit of the corporation or to the elevation of the public taste. A carefully thought-out design, like that, for instance, sent in for our Produce Exchange by Mr. Withers, had no chance whatever — the drawings not even taken out of their portfolio, simply because the staircases were put in the only place fit for the staircases of such a large building, namely, at the angles. And a design that met with great favor was one in which the water-closets of the whole upper building were discharged through one of the iron columns that support the great main hall intended to accommodate the whole membership of the society! I could fill my paper with anecdotes of mismanagement like this, and the exposure might do some good. The builders of old time never made such blunders as these. They looked to the main things first — to light and air, comfort and convenience and hospitality. Too many of our architects look to all these essentials last.

CLARENCE COOK.

CONSTITUTIONAL PROTECTION OF PROPERTY RIGHTS.

AMONG the many interesting questions involved in the litigation which has been going on for some years, with regard to the New York elevated railroads, the right of the owners of property on the streets through which they pass, to recover compensation for the injury done them by the construction of the roads, is one of the most practically important. In most cases of the construction of railroads, the right to compensation in some degree is unquestioned, because land is actually taken from the owner, and the title transferred to the corporations; and the compensation paid the latter is merely the payment of its value. But, in the case of the elevated railroads, a different and more delicate question has arisen. In some streets of the city no land has been taken at all, but the value of property has been materially reduced, owing to the fact that the structure over which the trains pass blocks up the street, darkening it and rendering it inconvenient for use, while the trains moving backward and forward close to the windows of the houses annoy their occupants with a constant noise and the smoke and cinders of the engines. In these cases, the actual market value of the property is greatly diminished; yet the elevated railroads have thus far successfully resisted all attempts to obtain compensation; and it is probably safe to say that the general belief among those most competent to form an opinion—that is, the opinion of the bar—is that the courts will never compel them to make compensation. That there ought to be redress for such an injury no one disputes. The State cannot commit an act of more high-handed injustice than that of authorizing a corporation to do wide-spread damage of this sort without making compensation for it. The obstacles in the way of obtaining such compensation grow out of certain peculiarities of legal construction, which curiously

illustrate the confusion and consequent injustice that often attend the development of our jurisprudence.

The constitution of the State of New York contains the provision common to all our State constitutions, that "when private property shall be taken for any public use by the State, the owner shall be compensated."*

Now, singular as it may seem, it has been decided by court after court that, to constitute a "taking" of property within the meaning of this clause, there must be some direct, actual, physical interference with land or chattels.

The Supreme Court of Pennsylvania, in construing a similar provision thirty years ago, said: "The constitutional provision for the case of private property taken for public use, extends not to the case of property injured or destroyed."† This may be said to have been the prevailing view of the American courts down to a very recent period, and it is plain that, under this interpretation, the claim of the owners of property diminished in value by the elevated railroads would have no standing whatever.

Within the past few years, however, a new view of the subject has made its appearance, which has received the sanction of a court of high authority, and under which property-owners would be materially better off. In the case of Eaton *vs.* the Boston, Concord and Montreal Railroad,‡ the facts presented to the court were as follows: The corporation, claiming to act under legislative authority, removed a natural barrier situated north of the plaintiff's land, which had, down to the period of the construction of the road, completely protected his meadow-land from the effects of floods and freshets in a neighboring river. In consequence of this, the waters of the river sometimes flowed over his meadows, carrying stones, sand, and gravel upon them. Here there was nothing but injury, and no appropriation of land whatever. Nevertheless, the court held that this was a taking of the plaintiff's property, within the meaning of the constitutional provision, and that the legislature could not authorize any such injury without making provision for compensation. In reaching this conclusion, the court first states the commonly accepted interpretation as follows:

* Const. N. Y., Art. 1, Sec. 7.

† O'Connor *vs.* Pittsburg, 18 Penn. St., 187.

‡ 51 N. H., 504.

"The constitutional prohibition (which exists in most, or all, of the States) has received in some quarters a construction which renders it of comparatively little worth, being interpreted much as if it read, 'No person shall be divested of the formal title to property without compensation, but he may without compensation be deprived of all that makes the title valuable.' To constitute a 'taking of the property' it seems to have sometimes been held necessary that there should be 'an exclusive appropriation,' a total assumption of possession,' 'a complete ouster,' an absolute or total conversion of the entire property, 'a taking the property altogether.' These views seem to be founded on a misconception of the term 'property,' as used in the various State constitutions."

In a strict legal sense, they continue, land is not "property"; but the subject of property. The term property, although in common parlance frequently applied to a tract of land or a chattel, in its legal signification means only the rights of the owner in relation to it. Property is, in other words, the right to possess, use, enjoy, dispose of, rent, sell, give away, devise the thing owned; and anything which interferes with the beneficial enjoyment of all these rights substantially diminishes them, and consequently involves a "taking," *pro tanto*, of the property. The right of using indefinitely is an essential quality or attribute of absolute property, without which absolute property can have no legal existence. This right of using necessarily includes the right and power of excluding others from using the land. If the right of indefinite use is an essential element of absolute property or complete ownership, whatever physical interference annuls this right takes "property," although the owner may still have left him valuable rights of a more limited and circumscribed nature. He has not the same property that he formerly had. Then he had an unlimited right, now he has only a limited right. His absolute ownership has been reduced to a qualified ownership. Restricting A's unlimited right of using one hundred acres of land to a limited right of using the same land, may work a far greater injury to A than to take from him the title in fee simple to an acre, leaving him the unrestricted right of using the remaining ninety-nine acres. Nobody doubts that the latter transaction would constitute a "taking of property." Why not the former?

The case of Pumpelly *vs.* Green Bay Company,* decided by the Supreme Court of the United States, closely resembles the New Hampshire case. In that case it was held that the backing of

* 13 Wall, 166.

water so as to overflow the land of an individual, or any other superinduced addition of water, earth, sand, or other material or artificial structure placed on land, if done under statutes authorizing it for the public benefit, was a taking of property within the meaning of the constitutional prohibition. The court said as to this:

"It would be a very curious and unsatisfactory result, if, in construing a provision of constitutional law, always understood to have been adopted for protection and security to the rights of the individual as against the Government, and which has received the commendation of jurists, statesmen and commentators as placing the just principles of the common law on that subject beyond the powers of ordinary legislation to change or control them, it shall be held that if the Government refrains from the absolute conversion of real property to the uses of the public, it can destroy its value entirely, can inflict irreparable and permanent injury to any extent; can, in effect, subject it to total destruction without making any compensation, because, in the narrowest sense of that word, it is not taken for the public use. Such a construction would pervert the constitutional provision into a restriction upon the rights of the citizen, as these rights stood at the common law instead of the Government, and make it an authority for invasion of private right under the pretext of the public good, which had no warrant in the law or practices of our ancestors."

This decision seems to treat the submerging of lands as equivalent to the "taking" of them. But, obviously, it is not the lands which are "taken" in such a case, in any true sense. The title to the lands is still the property of the owner; it is the beneficial use of them which is gone, so that as a matter of fact the difference between this and the New Hampshire case is only one of degree. The Supreme Court, in saying that the land is "taken" by overflowing, merely means precisely what the New Hampshire court means when it says that the "property" is taken by an occasional deposit of stones, sand, and gravel through an overflow or freshet. And the New Hampshire court itself says, after using the language we have quoted as to the meaning of the word "property" in the constitutional prohibition:

"If, on the other hand, the land itself be regarded as 'property,' the practical result is the same. The purpose of this constitutional prohibition cannot be ignored in its interpretation. The framers of the constitution intended to protect rights which are worth protecting; not mere empty titles, or barren insignia of ownership, which are of no substantial value. If the land, 'in its corporeal substance and entity' is 'property,' still, all that makes this property of any value is the aggregation of rights or qualities which the law assumes as incidents to the ownership of it. The constitutional pro-

hibition must have been intended to protect all the essential elements of ownership which make 'property' valuable. Among these elements is fundamentally the right of user, including, of course, the corresponding right of excluding others from the use . . . . a physical interference with the land, which substantially abridges this right, takes the owner's 'property' to just so great an extent as he is thereby deprived of this right. To deprive one of the use of his land is depriving him of his land, for, as Lord Coke said: 'What is the land but the profits thereof?' . . . . The private injury is thereby as completely effected as if the land itself was physically taken away."

As a matter of fact, the land itself is never taken. The land, the corporeal substance, always remains. The possession may be taken, or the entire title, or both, or something less; and in any one of these cases the only "taking" that is possible is a diminution of the right of user. It may indeed be contended that a diminution of the right of user which is effected without any change of possession or title, as in the New Hampshire case, is not a "taking" away of any property rights, but merely a destruction of property rights without any appropriation. But it is just such destruction of property rights which the constitutional prohibition is intended to reach. Otherwise, any railroad which wished to avoid the necessity of compensation might accomplish its object by not attempting to acquire the title to, or "condemn" any land, but by merely constructing its road; and in answer to any claim for damages might contend that it had "taken" nothing.

From a comparison of the early Pennsylvania case which we have cited, and which may stand as representing a whole class of contemporaneous decisions, with the two last decisions (by the side of which many others of a similar tendency might be put), it is obvious that the meaning of the constitutional clause prohibiting the taking of property without compensation has suffered a change, and that the courts are now beginning to show a disposition to treat any injury or destruction of property as a "taking." The meaning of the word "property" seems to be undergoing a modification, and the word to be used in a different sense from that which was formerly current.

There is nothing more difficult than to effect any change in a legal conception once firmly imbedded in a system of jurisprudence, particularly such a one as ours, in which general principles are developed out of adjudicated cases, while each case is, in theory, supposed to be founded upon and governed by

another precisely similar; in which, in fact, there is, in theory, supposed to be no change at all. It is not surprising, therefore, that we should find the conception of "property" prevailing till a very recent period in the United States, to be still the same which the word suggested to lawyers of the last century, which Blackstone elaborated in his "Commentaries," and which historically may be traced to the archaic customs which answered the purpose of law in the forests of Germany. It is easy to see that in all early systems of law there is likely to be a confusion between the terms used to express the thing owned and those used to define the ownership of it. The word "property" we find used in Blackstone to express these two entirely distinct ideas: first, the thing owned, and secondly, the entire aggregate of rights and obligations with relation to it imposed by the law upon the owner. "Real property" means land, "personal property" means chattels; but we speak at the same time of property *in* land and property *in* a chattel. These last expressions come from the Roman law, as the word "property" itself is simply the Latin equivalent for ownership. The reason that English lawyers of the last century distorted this legal term from its natural use, and treated it as a convenient synonym for something radically different, is undoubtedly that they had not themselves reached any distinct conception of the nature of property in land. The feudal system was coherent, logical, and intelligible. No feudal lawyer could ever have confounded the land itself with the tenure by which it was held or the quality of the estate. The fee was as distinct a conception in his mind as any *universitas* of rights and duties in the mind of a classical jurist. But the feudal system was, in Blackstone's time, already in a state of decay, and half-understood legal ideas derived from Roman jurisprudence offered a tempting bait to any systematic writer on law. To a man of Blackstone's passion for symmetry and mere style, this was too tempting to be resisted, and the consequence was the production of a work in which we have neither the mathematical accuracy and metaphysical precision of feudal law, nor the civilized classification of the Roman, but often a jumble of the two, in which confusion is made worse confounded by the assumption that it is the perfection of system and order.

That the confusion with reference to everything relating to property, which we find in Blackstone, was wide-spread among

the lawyers of his time, there is abundant evidence. It was a period in which it was often uncertain whether cases would be decided upon archaic principles, handed down from the time when Europe was still overrun with savages, or upon the polished and philosophical doctrines of right, elaborated by the classical lawyers of the Empire. A curious and instructive instance of the first is to be found in the opinion of Mr. Justice Yates, in the great copyright case of Millar *vs.* Taylor, in which he traces a close resemblance between the ownership of literary ideas, and that of wild animals, likens the publication of a book to the escape from the control of its captor of a fox or tiger, and hence reaches the conclusion that there can be no copyright at common law. On the other hand, we have the decisions of Lord Mansfield, a judge more familiar, through his familiarity with the principles of equity, with Roman than with English law, deciding case after case without much more regard for common law principles than if they had no existence. It was a time of great legal confusion, and nothing is more natural than that this confusion should by no means have altogether yet disappeared.

The confusion as to the use of the term "property" produced less practical inconveniences at the time than might be supposed, at least so far as land was concerned, because any litigated question which arose with regard to it had to be translated into the terms and conceptions of feudal law, which were still used with all their nicety in decisions and statutes. All actual litigation still concerned, not anything so vague and indiscriminate as "property" in land, but fees, estates tail, reversions, remainders vested and contingent, freeholds, tenancies for life, at will, by sufferance, easements in gross or appurtenant, and the thousand other varieties of title and estate, which the systematic feudal lawyers had been careful to classify and define. It was not until the word "property" came to be used in the written constitutions of the United States that the seeds of any practical trouble were sown.

Singular as it may appear, no such question as that presented by the construction of the elevated railroads has ever caused the English courts the slightest difficulty. There being no written constitutional provision on the subject, there has never been any necessity for defining the word "take," or the word "property," and Parliament and the courts have always given the owner whose property has been injuriously affected by the construction of public works of any kind, full redress, without regard to any-

thing except the fact of injury. The Land Clauses Consolidation Act, passed in 1845, provided that the owner should have compensation for land, or any interest in land, taken or "injuriously affected." A single English case, which resembles in many respects that of the elevated railroads, and decided forty years ago, will show the difference between the American and English law on the subject. In Turner *vs.* The Sheffield and Rotherham Railroad Company,* the plaintiffs were the owners of a starch factory, near which the defendants built a railway station and embankment, by means of which the light and air were shut off, and the premises rendered "dark, close, uncomfortable and unwholesome, and less fit and commodious for the purpose of manufacturing starch therein," and the other purposes for which they had been used. Added to this, "large quantities of earth, soil, dust and dirt" were "carried, drifted, blown, scattered and spread," so that the fixtures, implements, and effects of the starch factory were rendered "dirty, foul and clogged up," by means of which the premises "were greatly deteriorated in value." The court held that the plaintiffs could recover.

That private rights of this sort should be more effectually protected in England without any written constitutional guarantee, than in this country where the subject is carefully provided for in the bill of rights, is a remarkable thing in itself, and is made the more so if, as we believe to be the case, the explanation of the matter is that the American judges of the last generation were driven into a narrow construction of the prohibition by the confusion existing as to the term "property" among the English lawyers whom they attempted to follow. The original source of confusion has been admirably explained by Austin, who, in his lectures on jurisprudence, points out the various meanings of the very ambiguous word "Property." His analysis serves to illustrate at one or two points what we have been saying. First comes the use of the word in its correct or strict sense, the same in which it is used by the Supreme Court of New Hampshire, if not by the Supreme Court of the United States—the right of unlimited user. Then comes what he calls the "loose and vulgar acceptation," to denote "not the right of property or dominion, but the subject of such a right, as where a horse or piece of land is called my property." But Austin, who was probably unaware when he wrote this, that on this side of the water

* 10 M. & W., 425.

our constitutional prohibitions against any interference with private property were already beginning to involve us in a controversy of serious dimensions over the meaning of that word, adds: "I think in English law, unless used vaguely and popularly, the term property is not applied to rights in immovables (land). We talk of property in a movable thing. By absolute property in a movable thing, we mean what the Roman lawyers called *dominium* or *proprietas*, they having no distinction between real and personal property. But in strict law language the term is not applied to a right or interest in immovables. An estate in fee simple, an estate tail, an estate for life, and so on, but never a property strictly speaking. An estate in fee simple corresponds as nearly as may be to absolute property in a personal chattel." In other words, as we have hinted above, the feudal system of tenures admitted no such vague conception as "property."

If the views here suggested are sound, the process of interpretation through which the constitutional provision as to taking "property" is passing, is one under which what Austin calls the true or strict sense of the word is being substituted for the "vulgar acceptation" in which the subject of property is confounded with the property itself.

That the second of these two views must in the end prevail and render the first obsolete, no one who has paid much attention to the development of the law on the subject in this country can for a moment doubt. At the risk of repetition, we shall make one more quotation from Austin, because it shows more clearly still than anything that we have already taken from him, that the view of the subject adopted by the New Hampshire Supreme Court is Austin's, as Austin's was that of the Roman law. He says:

"The right of property or dominion is resolvable into two elements: First, the power of using indefinitely the subject of the right. . . . . Secondly, a power of excluding others (a power which is also indefinite) from using the same subject. For a power of indefinite user would be utterly nugatory, unless it were coupled with a corresponding power of excluding others generally from any participation in the use. The power of user and the power of exclusion are equally rights to forbearances on the part of other persons generally By virtue of the right or power of indefinitely using the subject, other persons generally are bound to forbear from disturbing the owner in acts of user. By virtue of the right or power of excluding other persons generally, other persons generally are bound to forbear from using

or meddling with the subject. The rights of user and exclusion are so blended, that an offense against the one is commonly an offense against the other. I can hardly prevent you from plowing your field, or from raising a building upon it, without committing, at the same time, a trespass. And an attempt on my part to use the subject (as an attempt, for example, to fish in your pond), is an interference with your right of user as well as with your right of exclusion. But an offense against one of these rights is not of necessity an offense against the other. If, for example, I walk across your field, in order to shorten my way to a given point, I may not in the least injure you in respect to your right of user, although I violate your right of exclusion. Violations of the right of exclusion (when perfectly harmless in themselves) are treated as injuries or offenses by reason of their probable effect on the rights of user and exclusion." *

The decision of the questions involved in the elevated railroad litigation will form an interesting episode in the history of the interpretation of the word "property" in the clauses of our State constitutions. As we have already said, no land in these cases has been taken. The owners have the same "property" (in its vulgar acceptation) that they had before; but, owing to the construction of the elevated railroads, their right of user, if not of exclusion, is gone. To take a case in which there is no dispute about the facts: the building of the branch of the elevated road through Fifty-third street in New York fills the street, to within a few feet of the upper windows of the houses, with a structure which darkens the whole neighborhood, while over it the passage of the cars and engines produces noise, smoke, and dust, which render the houses unfit for the uses to which they were intended to be put. Their rental and market value is diminished, and the whole character of the street is injured. Now, this case approaches very closely to the case in the Supreme Court of New Hampshire and to that in the Supreme Court of the United States. In the former case, as we have seen, no land was "taken"; in fact, land can never be said to be taken unless we mean by that that the title is absolutely transferred from one person to another, and it has never been maintained that railroads could escape paying damages altogether if they stopped short of "condemning" and acquiring title to land. The plaintiff merely complained that his land was diminished in its beneficial use or value to him by a deposit upon it of sand, stone, and gravel. In the Supreme Court of the United States his complaint was that his land had been flooded. In the case of the elevated railroads, the owners complain that their "property," *i. e.*, their

* Austin on Jurisprudence, 837.

right of indefinite user, is taken. Substitute smoke, dust, noise, and darkness for sand, gravel, stones and water, and the cases are seen to resemble each other closely. Even if the "taking" be held to require, as has been said in many cases, a physical interference with the land, it would seem to make no difference whether this physical interference were effected through the deposit of some material substance upon the land, or by such agencies as those called into play in the streets of a crowded city.

Whether the elevated railroad cases will be decided in accordance with what may be regarded as the modern meaning of the word "property," or in accordance with the older view that confused the taking of the land with the interference with the enjoyment of it, it is, of course, entirely impossible to tell; it is a curious fact that, in the recent reargument of the question of the property owners' right to damages, little attention should have been paid to the historical side of the use of the terms over which the controversy has so long been going on.

A practical objection has been often made to carrying the right of compensation to the extent recognized by the Supreme Court of New Hampshire—that it is so liberal as to be impracticable. No railroad can be built, it is said, without affecting in a great variety of ways the use to which property is put, and these general changes cannot be taken into account and compensated for, because it cannot be told in advance what they are going to be. In one place, the construction of a railroad, for instance, may bring about an alteration of a most serious character in a whole neighborhood, may make the fashionable quarter of a town unfashionable, destroy the picturesqueness of a view, or frighten fish away from a feeding-ground. The consequences may be slight, or they may be very serious. As was said a generation ago by a learned judge:

"The opening of a new thoroughfare may often result in advancing the interest of one man, or a class of men, and even one town, at the expense of another. The construction of the Erie Canal destroyed the business of hundreds of tavern-keepers and common carriers between Albany and Buffalo, and greatly depreciated the value of their property; and yet they got no compensation. And new villages sprang up on the line of the canal, at the expense of old ones on the former line of travel and transportation. Railroads destroy the business of stage proprietors, and yet no one has ever yet thought a railroad charter unconstitutional, because it gave no damages to stage-owners. The Hudson River Railroad will soon drive many fine steam-boats from the river; but no one will think the charter void because it

does not provide for the payment of damages to the boat-owners. A fort, jail, workshop, fever hospital, or lunatic asylum, erected by the Government, may have the effect of reducing the value of a dwelling-house in the immediate neighborhood; and yet no provision for compensating the owner of the house has ever been made in such a case." *

Again, it is said that the changes produced by a railroad are often beneficial; that this is, in fact, one of the most common results of the construction of railroads; in fact, one of the principal objects for which they are built. If damages in any case are to be considered, why should not benefits be taken into account, and why could not the owner, if his land is improved in value, be made to pay the railroad for it, just as the railroad pays if it is diminished in value. There are in this argument two fallacies which are easily exposed. In the first place, with regard to benefits, the matter is wholly separate from the question of damages. If the public ever come to think that railroads should be allowed to tax the members of the community whose lands they pass through, for the benefit conferred by them, it is, no doubt, perfectly competent for the legislature to pass a law for such a purpose. It would be open to all the objections which may be urged against the betterment statutes which permit assessments of benefits accruing through the opening of ordinary highways and streets, and to more beside, because the benefits conferred by railroads are vastly more wide-spread and difficult to determine accurately than those conferred by roads and streets, which generally affect land within a very narrow compass and in a very definite way. But, granting that such statutes might be passed, there is no evidence that anybody thinks they ought to be passed, and no likelihood that they ever will be passed; and until there is, any discussion of the difficulty of applying them seems to be merely time wasted. As to the other objection, that there are all sorts of injuries to property, for which no one ever dreams of asking compensation, the answer obviously is that this is merely the question which arises in every lawsuit: whether the wrong is such that, on the general principles governing the administration of justice, compensation ought or ought not to be given. In every case in which the question of the right to compensation for injury is considered, there is always a preliminary question: whether the act complained of is not too remotely connected with the injury

* Radcliff's Executors *vs.* Mayor, etc., of Brooklyn, 4 Comst. (N. Y.), 195, 206.

to be considered at all, or whether, if the cause is immediate, the damages are not so difficult to calculate as to make it out of the question to give any redress. The reason why a tavern-keeper could not be allowed to recover damages for the injury to his business by the construction of the Erie Canal, is because he could not prove them by means of the common rules of evidence. He might be able to show that his business had fallen off since the construction of the Erie Canal, but how much of it would be due to that cause, and how much to some other, no court of justice could possibly ascertain. If it could, the illustration would fail, because the tavern-keeper would on the general principles of justice be entitled to redress. The reason is precisely the same in the case of the business of a stage or of a steam-boat route destroyed by a railroad, or of a new village springing up at the expense of an old one. A fort, jail, work-shop, or fever hospital may be erected without compensation, for precisely the same reasons. No property-owner could possibly prove in a court of justice the difference in value produced by the proximity of such a building. The meaning of the word "property" in the constitutions of the States has been confused already quite enough without this added perplexity. The subject of consequential damages for taking land is too technical for the purposes of the present discussion; but we merely wish to point out that it is wholly separate from the question of the meaning of the word "property." If the New Hampshire view of this is adopted, it will merely be settled that taking property is diminishing the value of ownership. But it will be just as necessary as it was before for the injured owner to prove the extent of the damage, and that it is actually caused by the "taking," and that it is not too remote.

A. G. SEDGWICK.

EARTH-BURIAL AND CREMATION.

TIME and experience test the works of man, and the highway of progress is covered with the fragments of countless inventions. The creeds, the dogmas, the social regulations of one age, become the by-words or the antique curiosities of the next. Men do what they can, and coming generations pardon their errors, but judge their works as they ought.

What is good, lives; what is bad dies—this is the general rule. When, therefore, a custom like that of burial has existed for many centuries, a strong presumption arises in its favor. Its antiquity is offered as a voucher for its wisdom, and the rule that we have stated is rigidly applied. Let us not forget, however, that, to respect a custom for its antiquity, no unnatural causes must have tended to prolong its life. Resting solely upon its intrinsic merits, it should challenge and survive the scrutiny of unbiased minds. Judged by this standard, the antiquity of burial avails it nothing, while our respect for the custom itself will lessen in proportion as we learn how it was established. For centuries, by the civilized nations of Greece and Rome, burning on the pyre was the usage regarded as most honorable and appropriate. At first, it is not probable that the funeral customs of the Christians differed in any marked respect from the customs of those who clung to the ancient faith. They interred in the same places, and they even painted and engraved upon their catacombs representations of the heathen gods and goddesses.

The contrast in time became greater, and no sooner had the Christian religion become a power in the state, than its followers, always inimical to cremation, made haste to abolish the practice. They were influenced in this, not by the Scriptures, for both Old and New Testaments are silent on the subject. The causes are found in a prejudice and a superstition. Cordially hating the old mythology, it was easy for them to dislike its followers

and their customs. The pagans of Europe burned their dead; and therefore the Christians stigmatized burning as a pagan custom. Being prejudiced, they refused to adopt a good habit that their enemies possessed; being illogical, they totally disregarded the fact that, while some heathen nations had used the torch, others had plied the spade, and therefore cremation, any more than inhumation, should not be taken as a symbol of paganism.

Another reason contributing to the revival of burial, was the belief in the body's resurrection. That the trumpet would sound and the dead come forth was a doctrine literally accepted in a physical as well as in a spiritual sense. Again, a notion was prevalent that the Christian's body was in some peculiar sense redeemed and purified. It was "a temple of the Holy Ghost." Though language like this may baffle our comprehension, yet the phrase sounded well, and had due effect. The old precept of one of the Twelve Tables, "Hominem mortuum in urbe ne sepelito, neve urito," was set at naught. Inanimate "temples of the Holy Ghost" by the score were encased in the niches and corners of churches, and many a moldering monk unintentionally counterbalanced the good deeds of his life by the disease that he generated after his death. The superstitious reverence in which the tombs, bodies, and even bones of the saints were held, enhanced likewise the love of the faithful for burial. The pious Mussulman turns not to the tomb of the Prophet at Mecca with greater reverence than did the early Christian to the grave of saint or martyr. "In the age," says Gibbon, "which followed the conversion of Constantine, the emperors, the consuls, and the generals of armies devoutly visited the sepulchers of a tent-maker and a fisherman."

This was an age of miracles, and the skeletons of saints were more valuable to the clergy than gold or precious stones. "There is reason," adds the historian, "to suspect that Tours might not be the only diocese in which the bones of a malefactor were adored, instead of those of a saint." By a heavenly vision, the resting-place of the Martyr Stephen was revealed to Lucian, a presbyter of Jerusalem. In the presence of an innumerable multitude the ground was opened by the bishop, and when the coffin was brought to light, the earth trembled, and an odor as of Paradise arose, which instantly cured the various diseases of seventy-three in the vicinity. In solemn procession the remains of Stephen were transported

to a church constructed in their honor on Mount Sion; "and the minute particles of those relics—a drop of blood, or the scrapings of a bone—were acknowledged in almost every province of the Roman world to possess a divine and miraculous virtue." The grave and learned Augustine, the most profound theologian of his day, in attesting to the innumerable prodigies which were performed by the relics of St. Stephen, enumerates above seventy miracles, of which three were resurrections from the dead, in the space of two years. These incidents of unquestioning and child-like faith, viewed perchance with pious rapture by those who bewail the skeptical spirit of our day, illustrate the intellectual capacity of the age, and help largely to explain the preference of the early Christians for burial. The phantoms of the grave revealed the constitution of the invisible world, and convinced them that their religion was founded on the firm basis of fact and experience; while the fragments of moldering saints, gathered with reverent care, shielded them from accident, cured their diseases, and restored their dead to life.

Well might the faithful adore the tomb when it yielded such priceless treasures. With a superficial knowledge of the history of the Christian Church, one can readily understand how the practice of inhumation would be insured a long life on receiving the stamp of priestly approval. Even at this early date the temporal power of the Church existed in fact as well as in name; and public opinion was largely influenced by the views of the clergy,—a body extremely jealous of their privileges and ready to brand with the name of heresy any undertaking or teaching believed to be in the most remote degree capable of affecting their dogmas or emoluments. As early as 385 A. D., at the time when the bones of St. Stephen first began their wonderful work, Priscillian was condemned to death as a heretic at the Council of Treves. For fourteen hundred years afterward the fagot, scaffold, ax and rack were in constant use, and hundreds of thousands of human victims were demanded for the maintenance of Christian doctrines.

When the noble Bruno was burned at Rome, the special charge against him was that he had taught the plurality of worlds, a doctrine repugnant to the whole tenor of Scriptures. When John Calvin caused Servetus to be roasted to death over a slow fire at Geneva, the offense of the philosopher lay in his belief that the genuine doctrines of Christianity had been

lost even before the time of the Council of Nicæa. "Heresy" was a word whose elastic meaning embraced every offense, real or imaginary, against the doctrines and regulations of the church; and the assertion of the Bishop of Lincoln, in 1874, that a revival of cremation would destroy belief in a final resurrection, if proclaimed from one to fourteen centuries since, would have received universal assent.

To many it may appear that we have wandered unnecessarily into details of church history, but the cause is found in the oft-repeated statement of the anti-cremationists, that burial is a Christian custom that has endured for centuries. Burial is a Christian custom, and it has endured for centuries; but when we consider the prejudice that gave rise to it in Europe, the superstition that nourished, and the intolerance that ever stood ready to defend—when we consider these facts in connection with the well-authenticated cases of plague and epidemics that the custom has occasioned—one would think that all branches of Christians would gladly welcome any innovation that would consign the practice to a well-deserved oblivion. The whole question of the disposition of the dead, as the advocates of incineration have again and again asserted, is a sanitary, and not a religious one.

On investigating the condition of grave-yards, all sentiment clustering around the tomb is quickly dispelled, and a state of things horrible in its nature and dangerous in its effects arrests our attention. These form the strongest arguments in favor of incineration, and by their force seem to indicate that those who believe in the practice of earth-burial must be ignorant of the result of the custom they advocate. Scores of instances, in cities and in rural districts, both in our own and in foreign lands, verify the assertion of Dr. Adams, of Massachusetts, that the "Christian church-yard is often a contracted plot of ground in the midst of dwellings, literally packed with bodies until it becomes impossible to dig a grave without disturbing human bones; and the earth so saturated with foul fluids and the emanations so noxious as to make each church-yard a focus of disease."

Of the one hundred and seventy-one answers received by Dr. Adams, in reply to circulars sent to the regular correspondents of the State Board of Health of Massachusetts, both in the United States and Great Britain, more than one-third (sixty-one) gave

their testimony in favor of the adoption of cremation as a substitute for burial. And this was in 1874, when the subject was first being agitated in this country.

At the outset it may be well to notice a statement generally advanced by the believers in inhumation, whenever the dangers arising from grave-yards are spoken of. They inform us that cemeteries established in country districts, for the reception of the dead of cities, where each body is laid in a grave by itself, are not open to the objection of being overcrowded or dangerous. To this we can answer that all suburban cemeteries ultimately increase their area or become overcrowded, while the cities for the use of which they are intended expand in size until in time the abodes of the living and dead converge together.

Brooklyn furnishes an illustration of the evil of which we speak, being surrounded by a net-work of cemeteries. Within Greenwood alone, since its establishment forty years ago, two hundred and eleven thousand bodies have been interred. We can realize how startling has been its growth when we remember that since its dedication it has had neighboring burial-grounds to compete with, and that when its gates were first opened Brooklyn contained only thirty thousand, and New York but three hundred thousand inhabitants. Brooklyn now has a population of over six hundred thousand; and Greenwood, once suburban, has become intra-mural. It need surprise no one to learn that the exhalations from this cemetery were recently complained of in South Brooklyn; and considering the thousands annually interred within neighboring burial-grounds and the increasing density of our population, we can readily believe that the evil, instead of diminishing, will increase. Realizing the gravity of this subject, Sir Henry Thompson, in an article in the "Contemporary Review" for January, 1874, declared that, by selecting a portion of ground distant some five or ten miles from any very populous neighborhood, and by sending our dead to be buried there, we were "laying by poison, it is certain, for our children's children, who will find our remains polluting their water-sources when that now distant plot is covered, as it will be more or less closely, by human dwellings." This feeling is shared by other distinguished English writers; and the London "Lancet" of January 11, 1879, speaking of the necessity of devising special measures for the disposal of the dead, said: "The expedient of burial in suburban cemeteries is

only temporary. It may last our time, but the next generation will be called upon to solve the sanitary problem in a more permanent way."

Grave-yards, wherever situated, are in their nature transitory. Within the memory of men now living, what numbers of burial-grounds on Manhattan Island have been built over, and their very locations obliterated. Even remote rural cemeteries, from the death of those interested in them, or from the necessity of opening new streets or constructing railways, succumb to the march of improvement. Beautiful as they sometimes seem, and harmless as the advocates of inhumation would have us believe them to be, the putrid tenants of their vaults and graves contain the germs of contagious diseases; and disinterment is always undertaken at a terrible risk. The experiments of Prof. Tyndall and others have shown "that certain organisms may be boiled for hours and may be frozen, and still survive to propagate their species." Grain entombed with Egyptian mummies for forty centuries has been planted, and sprouted into life. "By what authority, then," asks Dr. Peterson, in the "Buffalo Medical and Surgical Journal," "can we affirm that life departs from disease-germs by inhumation? How dare we preserve vast depots in the South of yellow fever *fomites*, coffers of Asiatic cholera, and every year accumulate and treasure up small-pox, scarlet fever, whooping-cough, diphtheria, and measles?"

The sanitary records of nearly every nation show the force of the doctor's questions, and illustrate the danger of which he speaks. In 1828 Professor Bianchi demonstrated how the fearful reappearance of the plague at Modena was caused by excavations in ground where, three hundred years previously, the victims of the pestilence had been buried. Mr. Cooper, in explaining the causes of some epidemics, remarks, that the opening of the plague burial-grounds at Eyam, in Derbyshire, occasioned an immediate outbreak of disease. He also describes how the malignity of the cholera, which scourged London in the year 1854, was enhanced by the excavations made for sewers in the soil where in 1665 those dying from the plague were buried. Mr. Simon had predicted this result, and warned the authorities of the danger of disturbing the spot. Mr. Eassie, in his splendid work on "The Cremation of the Dead," tells us that in 1843, when the parish church of Minchinhampton was rebuilding, the soil of the burial-ground, or what

was superfluous, was disposed of for manure, and deposited in many of the neighboring gardens. As a result the town was nearly decimated; and the "Sanitary Record" adds, "the same would have occurred, one would imagine, even if the coffin-earth had been absent."

As high scientific authority is seldom called on to discover the origin of local diseases unless it assumes a malignant or epidemic type, it is safe to believe that thousands of cases of illness and death are occasioned by the disinterment of human remains, without the true cause of the malady being suspected. When grave-yards are dug up, who is there to look into the distant past and say: This man died of small-pox, pass him by; and that one of the cholera, disturb him not? Remembering that, a few years since, the yellow fever for two successive summers ravaged the South, how strong is the presumption that the second epidemic was largely occasioned by the burial of the victims of the first. During the reign of terror that existed, men dropped like leaves, and, insecurely coffined, were hurried to common and shallow graves. Sometimes in the country districts they were buried almost where they fell. And judging the future by what has been demonstrated in the past, it seems inevitable that visitations of this frightful malady will yet sweep sections of the country, caused from the disturbance of infected burial-spots, by coming generations ignorant of their contents.

Thus far we have considered only the dangers arising from exhumation—dangers that would be simply annihilated by the enlightened adoption of cremation. Independent even of disinterment, the infected corpse, while hidden in the grave can pursue its work of harm. In a letter from Dr. Joseph Akerly, embodied in a publication by Dr. F. D. Allen, 1822, the belief was expressed that Trinity church-yard was an active cause of the yellow fever in New York in 1822, aggravating the malignity of the epidemic in its vicinity. During the epidemic in New Orleans in 1853, Dr. E. H. Burton reported that in the Fourth District the mortality was four hundred and fifty-two per thousand, more than double that of any other. In this district were three large cemeteries, in which during the previous year more than three thousand bodies had been buried. In other districts the proximity of cemeteries seemed to aggravate the disease. Dr. Ranch personally observed, during the epidemic of cholera in Burlington, Iowa, in 1850, that the neighborhood of

the city cemetery was free from the disease until about twenty interments had been made there, and then deaths began to occur, and always in the direction from the cemetery in which the wind blew. During the prevalence of the plague in Paris in the beginning of the eighteenth century, the disease lingered longest in the neighborhood of the Cimetière de la Trinité, and there the greatest number fell a sacrifice. In a report presented to both Houses of the British Parliament, in 1850, Dr. Sunderland testified that he had witnessed several outbreaks of cholera in the vicinity of grave-yards, which left no doubt on his mind as to the connection between the disease and such local influences.

The investigations of the Massachusetts Board of Health showed that diphtheria and typhoid fever were disseminated not only by infectious emanations from sick-rooms, but also from the graves of persons who had died of these complaints. And Dr. F. Julius Le Moyne, after fifty years of medical practice, wrote:

"The inhumation of human bodies, dead from these infectious diseases, results in constantly loading the atmosphere, and polluting the waters, with not only the germs that arise from simple putrefaction, but also with the *specific* germs of the diseases from which death resulted."

To this noble physician belongs the honor of first introducing cremation in this country. A life of observation had convinced him that the present custom of disposing of the dead entailed pain, misery, and death upon the living. Believing, to quote his own words, that "men are always bound to act in conformity to the degree of knowledge they possess," he built the Washington crematory in the face of much ignorant ridicule and opposition. The future will honor the spirit that guided him, and appreciate the wisdom that his act displayed. Independent of the dangers arising from the interment or disinterment of those dying from contagious diseases, the cemetery possesses evils *sui generis*. Dysentery, low fevers, and ulcerated sore throats are the disorders shown to prevail in a marked degree among those dwelling in its vicinity. The air likewise becomes vitiated and the springs and wells in the vicinity contaminated. These statements are not chimerical, but are amply verified by proven facts. And it may be well to repeat here what was stated when considering another branch of our subject, that these slow, hidden, but ever-continuing evils attract

marked attention only when they occasion epidemics. Until then little effort is made to discover the fountain of trouble, and unaccountable cases of death are generally attributed to the mysterious wisdom of Divine Providence.

In 1740 a fatal epidemic of fever in Dublin being distinctly traced to emanations from the church-yards, intra-mural interments were prohibited. New York City, as far back as 1814, furnishes another example supporting our statements. At that time, according to Dr. F. D. Allen, who wrote in 1822, a battalion of militia was stationed on a lot on Broadway, the rear of which bounded on Potter's Field, from which arose a vile effluvium. A number of soldiers were attacked with diarrhœa and fever, and although removed at once, one died, though the others rapidly recovered. A case similar to this was told to Mr. Chadwick by an English officer, who stated that while he and his command occupied as a barrack a building overlooking a Liverpool church-yard, they always suffered from dysentery. Instances are very numerous of illness of this nature, and also of throat troubles occasioned by the inhalation of vitiated air. Mr. Eassie mentions the interesting experiment of Professor Selmi, of Mantua, who "has lately discovered, in the stratum of air which has remained during a time of calm for a certain period over a cemetery, organisms which considerably vitiate the air, and are dangerous to life. This was proved after several examinations. When the matter in question was injected under the skin of a pigeon, a typhus-like ailment was induced, and death ensued on the third day."

It is an error only too prevalent, to require an unsavory smell as an evidence that a neighborhood is unhealthy. It is no more essential than that water to be unhealthy should possess a disagreeable taste. Both of these fallacies extensively prevail; and, as regards water, we doubt if there is a rural cemetery in this country which has not a well somewhere among its graves, receiving abundant patronage if it has no offensive taste. The danger to be apprehended from this source, or from any streams in the vicinity of burial-grounds, is forcibly pointed out by the London "Lancet," which says:

"It is a well-ascertained fact that the surest carrier and most fruitful *nidus* of zymotic contagion is this brilliant, enticing-looking water, charged with the nitrates which result from organic decomposition.

"What, for example, was the history of the Broad street pump, which

proved so fatal during the cholera epidemic of 1854? Was its water foul, thick, and stinking? Unfortunately not. It was the purest-looking and most enticing water to be found in the neighborhood, and people came from a distance to get it. Yet there can be no doubt that it carried cholera to many who drank it. . . . . We are afraid Mr. Hadden will have to confess that at present the only known method of making organic matter certainly harmless is the process of cremation."

As to Irish church-yards, Dr. Mapother, who inspected several, declared that he "generally found them placed on the highest spot near the most central part, whence, of course, all percolations descend into the wells." In 1877 a malignant epidemic broke out in a section of Elsinore, Denmark, that baffled the skill of the leading physicians in their efforts to subdue it. On the drinking-water in the affected quarter being analyzed, it was found poisoned by the corruption that had drained into the wells from an adjoining cemetery. Professor Brande has given it as his opinion that the water in all superficial springs near burial-grounds is simply filtered through accumulated decomposition.

We have thus far considered the practice of burial entirely from a sanitary stand-point, and the facts resulting from such examination demonstrate the advantages of cremation.

Unpleasant truths connected with inhumation are concealed under a mass of false sentiment; and on more than one occasion when "Unveil thy bosom, faithful tomb," has been sung at funerals, we have been in the perplexed state of mind of "Poor Joe," who, sitting on the steps of The Society for the Propagation of the Gospel in Foreign Parts, wondered what it was all about. It seems to us impossible that a more revolting manner of disposing of the body of a loved friend could be devised than by first freezing it, then encasing it in double coffins, and burying it six feet under the sod, knowing all the while that the grave will soon fill with water, and that worms and putrefaction will pursue their horrible work for years to come.

No amount of gush or sentiment is able to neutralize in the imagination the effect of these ugly facts; and without doubt the dread of death itself is largely increased by the practice of burial. "The mere cessation of existence," said John Stuart Mill, "is no evil to any one; the idea is only formidable through the illusion of imagination, which makes one conceive one's self as if one were alive and feeling one's self dead. What is odious in death is not

death itself, but the act of dying, and its lugubrious accompaniments."

The advantages of cremation, and the magnitude and result of the evils of burial, are so well shown by Mr. W. Cave Thomas in his "Social Notes," that we cannot forbear quoting at length from him in this connection. While unfolding the condition of things in Great Britain, his words vividly illustrate the abominations of burial wherever there is a dense population. He says:

"Cremation insures the purity of the atmosphere and of the springs, both of which are contaminated to a frightful and incalculable extent by the present system of interment, as we shall immediately show. Data shall be given which will put the state of things resulting from this system in its most appalling light. The registered deaths in the United Kingdom for 1874 were 699,747. Taking this as an approximate annual death registry for Great Britain, and allowing ten years for the complete resolution of the body under the present mode of interment—a period, it is believed, considerably below the mark—we have in the kingdom nearly seven millions of dead bodies lying in various stages of decomposition, and giving off noxious exhalations by means of percolation to the atmosphere, and by sending down contaminating matter to the subterranean reservoirs. Calculating for London alone, there were, in 1872, 76,634 deaths; there are, therefore, at a rough estimate, nearly a million of human bodies festering in its immediate neighborhood. Fortunately for the springs, some of the cemeteries are on clayey soils, and bodies interred in them are, to a certain extent, locked up in their clay vaults only to be a source of mischief when they are opened. Some of these graves have been described, by one who is bound to know, as 'very cess-pools of human remains,' which give forth their noxious gases whenever broken into for the purpose of some fresh interment, as many a mourner has experienced to his cost. Bodies, on the other hand, which have been buried in sandy soils, are more quickly resolved, say in some six or seven years. Interments in sandy soils, however, are more likely to endanger the health of the living, for by percolation the fluids contaminate the springs, and the foul gases are exhaled into the atmosphere. . . . It would be a good bargain if we could obtain the adoption of cremation at the price of double fees."

The gases to which Mr. Thomas alludes will rise to the surface through eight or ten feet of gravel, just as coal-gas will do, and there is practically no limit to their power of escape. Mr. Chadwick, after examining some hundreds of witnesses, was of the opinion that entombment in vaults was a more dangerous practice than interment in the earth, because of the liability of the coffins to burst.

In the light of these revelations can we wonder that the neighborhood of crowded cemeteries has been regarded as unhealthy, or that the mephitic influences of his trade entails on

the grave-digger a loss of at least one-third of the natural duration of life and working ability. Realizing what burial is, it would seem easy for a confirmed inhumationist to change his belief and agree with Dr. Anelli that burial recalls the Middle Ages, and even the times of barbarism, while cremation represents progress and civilization.

Let us pass to a more pleasant branch of our subject, and consider the remedy for the evils we have spoken of. By means of the modern and scientific method of cremation, the human body, within an hour, can be reduced to a few pounds of white and odorless ashes. There is nothing in the operation that can shock the feelings of the most sensitive, and the process, when thoroughly examined and understood, will be found its own best advocate. "I have stood," says an eye-witness, "before the threshold of the crematory with a faltering heart. . . I have trembled at the thought of using fire beside the form of one whom I had loved. But when, in obedience to his own dying request, I saw the door of the cinerator taken down, its rosy light shine forth, and his peaceful form, enrobed in white, laid there at rest amid a loveliness that was simply fascinating to the eye, and without a glimpse of flames or fire or coals or smoke, I said, and say so still, this method, beyond all methods I have seen, is the most pleasing to the senses, the most charming to the imagination, and the most grateful to the memory." Opposition to incineration springs chiefly from ignorance of the manner in which it is carried on; and to remove all misapprehension it cannot be too distinctly stated, that the body *never* rests in flames, while during the entire process there is no fire or smoke, or odor or noise, to grieve in any manner the bereaved. Even the trestle on which the dead glides into the retort does not become heated prior to the body becoming incandescent. The active and consuming agent is simply air, raised to a white heat —a temperature equivalent to two thousand degrees Fahr.; and this, cooled temporarily by the in-rushing current on the opening of the door of the retort, causes the interior to assume beautiful vibrating and ruddy tints. One who has lately witnessed it has said: "As we turned away from the incinerator where we had left the body of our friend, it was pleasant to think of him still resting in its rosy light, surrounded and enveloped by what seemed to us as floods of purity." When all is over, nothing remains but a few fragments of calcined bones and

delicate white ashes, perfectly pure and odorless. In all candor, is not this a more fitting destiny for the cast-off body than that it should remain for years "a mass of loathsome and death-bearing putrefaction?"

Of the different methods of cremation now in use, the most rapid and complete results are obtained by means of the Siemens furnace. Its principle is that of regenerative heat, and its essential parts are comprised in the generator, or gas-producer, where the fuel is burned; the regenerators, consisting of four fire-brick-celled regenerative chambers for gas and air, and the consuming chamber, in which the body is placed. The fire burning in the generator is only an indirect agent in the work of incineration, and this portion of the furnace may be situated at some distance from the section where the body is consumed. The generator is a species of fire-brick oven, with an inclined plane, on which the coal is heated, and this, burning with a limited access of air, produces a combustible gas, which escapes into the gas regenerator, the air at the same time entering the air regenerator. These regenerative chambers work in pairs; they are of cubical shape, with walls of stone, and the interiors filled with a network of horizontal and vertical bars. By contact with the combustible gases the chambers become intensely heated, and both gas and air attain a temperature equal to white heat before rushing into the consuming chamber, where the body is laid. Entering separately and at different points, the gas and air then meet and mingle, and add to the respective heat of each that due to the mutual chemical action. The result is a terrible temperature, equaling 2000° Fahr. While one pair of generators convey the gas and air into the consuming chamber, another pair are employed in carrying them away to the chimney, and in the passage thither the current of devouring heat, purposely delayed in the labyrinth of lattice-fashioned bars, utterly consumes all noxious vapors given off at first from the body. The consuming chamber is iron-cased, and lined with metal capable of resisting the highest temperature. Its interior, smooth, almost polished, and white with heat, presents a pure and dazzling aspect; and, as the body is the only solid matter introduced, the product is simply the ashes of that body. During the entire process of incineration the remains are hidden from view; although, in special instances, where arrangements

for watching the operation have been made, no smoke or unsightly transformations of the body were observed. The heated hydrocarbon in a gaseous form, and the heated air, soon change it to a translucent white, and from this it crumbles into ashes. By means of one of these furnaces, Sir Henry Thompson reduced a body weighing no less than two hundred and twenty-seven pounds, to five pounds of ashes within the space of fifty-five minutes, and at a cost of less than a dollar for fuel.

"After such brilliant results," says Mr. Eassie—"results at once expeditious, cleanly, and economical—well might Sir Henry Thompson challenge Mr. Holland (Medical Inspector of Burials for England and Wales) 'to produce so fair a result from all the costly and carefully managed cemeteries in the kingdom,' and safely might he even offer him twenty years in order to elaborate the process."

In despite of what has been mentioned, should cremation to any one still present distressing features, let him remember that neither science, philosophy, nor religion can devise a method by which an eternal parting from the form of one we have loved can be anything but distressing. Let him remember that, although the thought of cremation may arouse unpleasant sensations, yet the entire process is complete within an hour, while, by burying, the revolting features of decomposition continue for years and possibly for centuries. In the words of the great scientist whose experiment we have related, "each mode of burial, whether in soil, in wood, in stone, or metal, is but another contrivance to delay, but never to prevent the inevitable change. When the body is burned, and so restored at once to its original elements, nature's work is hastened, her design anticipated, that is all." "For more than twenty years," says Dr. Parker, "I have believed that the true way of disposing of the human dead is by rapid burning,—I say rapid, for chemistry teaches us that decomposition of the body, when interred, is but a slow process of combustion."

When regarded from an artistic stand-point we see our attractive cemeteries, notwithstanding their picturesque effect, presenting strange inconsistencies; while our climate prevents a display of the finest and most delicate art, and in fact renders them for almost six months of the year unsuitable for being visited. The magnificent and ponderous mausoleum, within which the Roman or the Greek would have deposited, secure

from molestation, the cinerary urns of his ancestors, is planted by us directly above some lamented progenitor, as if to deprive him of the privilege of the resurrection. On every hand marble urns destitute of ashes crown lofty columns, and inverted torches, typical of cremation, meet the eye. These are the borrowed tokens of a classic age, that in our modern cemeteries lose their ancient meaning and serve no obvious purpose. A more serious charge that can be brought against cemeteries is the enormous sums of money annually sunk in them, sums entirely disproportionate to the services they yield. In an address before the Chicago Medical Society, in advocacy of cremation, Dr. Charles W. Purdy made some striking comparisons to show what a burden is laid upon society by the burial of the dead. According to his carefully prepared estimate, "one and one-fourth times more money is expended annually in funerals in the United States than the Government expends for public school purposes. Funerals cost this country in 1880 enough money to pay the liabilities of all the commercial failures in the United States during the same year, and give each bankrupt a capital of eight thousand six hundred and thirty dollars with which to resume business. Funerals cost annually more money than the value of the combined gold and silver yield of the United States in the year 1880." These figures, fabulous as they appear, do not include the enormous sums invested in burial-grounds and expended in tombs and monuments, nor the loss from depreciation of property in the vicinity of cemeteries.

As a return for this unparalleled and ridiculous extravagance, we have the funeral, the most doleful and melancholy thing on earth, and the ordinary grave-yard, transitory and repulsive in its nature and deadly in effect. When in addition to these facts we remember that, notwithstanding the vast sums expended, each semblance of poor humanity has been screwed up in a box for a decay as odious as it is needless, we find it easy to agree with the author of "God's Acre Beautiful," who declared the burial system in vogue to be "the most impudent of the ghouls that haunt the path of progress."

The money lavished by the citizens of New York during the past twenty years on funerals and cemeteries would have supplied a temple for the ashes of the dead in every way worthy of the metropolis. Added to and embellished by coming generations, its halls of statuary would foster art and rob death

of half his terror. There, cinerary urns of every design and every degree of elegance could be placed safe from all desecration. Money expended upon them would be better employed than by being devoted to coffins, which, within a few hours, are buried forever from sight; while, from a sentimental point of view, it would appear less incongruous to dress with roses a beautiful bronze or silver vase containing the ashes of a friend, than to tie a wreath of immortelles to the door-knob of a gloomy vault. Nearly fourteen years have elapsed since Professors Coletti and Castiglioni, "in the name of public health and of civilization," introduced in the Medical International Congress at Florence the question of cremation. A resolution at this congress was passed, urging that every possible means be employed to promote its substitution for burial; and, three years later, the Royal Institute of Science and Letters of Lombardy offered a prize for the best practical method. Since this revival of interest in the subject, cremation societies have been organized in nearly all of the large cities of Europe—in Italy alone eighteen having been established. The crematory at Milan, after being in existence a little over a year, had burned more than one hundred and fifty bodies; and that at Gotha, built by an association of some of the most learned and thoughtful men in Germany, fifty-two bodies. Of the forty-seven men whose bodies were cremated at Gotha, nineteen belonged to learned professions, four to the army, and four to the nobility. There were ten physicians. At the last meeting of the Copenhagen Cremation Society, it was announced that it contained one thousand four hundred members, among whom were eighty-three physicians. The French Society at Paris numbers over four hundred members.

As an illustration of the views of distinguished Europeans on this subject, it can be mentioned that one of the most prominent of Danish thinkers, Bishop Mourad, who, during the war with Prussia, led the affairs of the nation as prime minister, has publicly declared himself in favor of a law that would compel the substitution of cremation for burial. Lord Beaconsfield, in considering earth-burial, wrote: "What is called God's acre is really not adapted to the country which we inhabit, the times in which we live, and the spirit of the age." Gambetta is a member of the French Cremation Society, and General Garibaldi in his will explicitly directed that his body should be burned, and that

the urn containing his ashes should be placed under the orange tree shading the tombs of his two little girls.

In our own country, although public interest in the subject of incineration has never become as extended as in Europe, the ranks of the cremationists steadily increase, and in very many cities societies have been organized.

That, in time, cremation will be universally adopted, there seems no reason to doubt. We have faith in a good custom ultimately supplanting a bad one, and the superiority of incineration over burial is manifest. When the merits of the question are thoroughly appreciated, we shall not feel justified in storing up disease-germs, and in poisoning earth, air, and water by our present custom of burying the dead. A refined sentiment will teach us the questionable nature of that respect which prompts the erection of a costly marble tribute to the memory of a friend, while his body is left to decompose in a water-soaked grave beneath it.

Science and proven facts attest the wisdom of cremation, and in the words of the Royal Institute of Science and Letters of Lombardy, we believe that its adoption will mark a stage of progress in the march of civilization.

AUGUSTUS G. COBB.

THE GENEVA AWARD AND THE SHIP-OWNERS.

AFTER a periodical discussion, covering nearly ten years, Congress has finally taken decisive action in the matter of the distribution of the money obtained by the Government through the arbitration at Geneva. The delay has seemed needless and unexplainable to everybody except those who have been familiar with the progress of the controversy and the causes which led to the protracted delay. It is unnecessary to review the causes which led to the arbitration, the proceedings, at Geneva and the debates which preceded it both in the United States and Great Britain. Our purpose is simply to give a *résumé* of the action of Congress in the premises, and a statement of the existing law in reference to the distribution of the money and of the classes of claims that have been paid and are now entitled to a hearing in the new Court of Commissioners of Alabama Claims.

The money was paid by Great Britain through the State Department, on the eighth of September, 1873. It was deposited in the Treasury Department of the United States, to the credit of the State Department, the draft therefor of fifteen millions and a half in gold, being indorsed in due form by the Secretary of State. It was paid by Great Britain through three banking-houses, one British and two American. It is necessary to state clearly the fact of the mode of payment of this money in order to understand subsequent legislation in reference to it, and clear up certain misty views that are entertained by persons in Congress and out as to the precise legal status of the balance of the fund. As has been said, the money was paid to the Government of the United States through the State Department, and has technically gone to the credit of the State Department, and, consequently, the balance stands as an item on the books of the Treasury Department, to the credit of the State Department, as a deposit

in the Treasury of the United States would stand to the credit of an individual in whose name it was deposited.

There was distributed in the payment of judgments rendered by the former Court of Commissioners of Alabama Claims, which came into existence by authority of the Act of Congress of the twenty-third of June, 1874, about seven millions of dollars in gold. At that time gold was at a premium of nearly twenty per cent. The judgments that were rendered in favor of the various claimants were paid in currency at four per cent. interest from the date of the loss up to the time of the payment of the respective judgments.

The theory and principle of distribution set up by Congress in the law of 1882, is that the Government, receiving this money from Great Britain in a lump sum, took it without any direction, hint, or limitation as to how or to whom it should ultimately authorize it to be paid. The advocates of the underwriters, both in Congress and in certain newspapers of the country, have endeavored to convince Congress that it was under a legal obligation, in the technical sense, to direct the fund to be handed over to a total of forty-one insurance companies that paid losses, aggregating a little over four millions, caused by the acts of the Confederate cruisers. The assertions that they have made constitute their argument one *reductio ad absurdum*. Asserting their legal right to the money *pro rata*, according to their respective losses, they have asked, beleaguered, and besieged Congress to pass a law giving them a right to the money. If, as they say, a legal right existed, where is the reason or necessity for asking Congress to enact a law? If the legal right existed, plainly it was not necessary for Congress to pass such a law. This would seem to have sufficiently disposed of their argument, even before the ultimate action of the Senate, when out of a total membership of seventy-six senators only six were obtained to sustain this view, leaving a total of seventy that did not adopt it. The underwriters further asserted their right to this money, on the ground that, when they insured their policy-holders against war losses, and took a premium note, and issued the policy, in some cases—only a few—they took assignments from the assured of whatever might be derived thereafter. This assignment could only apply to the ordinary case of a loss by the action of the elements, storms, rocks, foundering, lightning, or some casualty of nature. In these cases of captures

and destructions by the Confederate cruisers the loss was total. Vessels and cargoes were usually burned or sunk. Hence, there could have been nothing left to assign. Where there is nothing to assign, any formal or pretended assignment passes only what the assignor has; and the assignor having nothing, the assignee takes nothing. The claim of the underwriters to the assignments of the owners' rights against the Government of Great Britain is without foundation, fallacious and deceptive. No right in the sense of a claim, or in any sense save the most abstract moral right, ever existed on the part of these owners. It was finally conceded by the Government of the United States in the treaty of Washington, adopted on the 8th of March, 1871, that no such right, either by international law, international equity, or international comity, ever existed on the part of the United States against the Government of Great Britain to recover for the losses or captures by the Confederate cruisers. This statement and assertion has become a formal part of the first article of this treaty. Consequently it at once and forever set at rest and disposed of this assertion that the existing rights on the part of ship-owners, merchants, or underwriters, who lost property at the hands of the Confederate cruisers, lay against the Government of Great Britain. The special and sole condition on which the Government of Great Britain consented to enter into an arbitration and be bound by the award of the arbitrators, was on the ground that no legal liability existed by any statute law, any municipal law, any international law, or any international comity, that even in the most vague and indefinite legal sense bound the Government of Great Britain to pay to the Government of the United States any money whatever for loss by these Confederate cruisers. The position of the two governments in framing the treaty was simply this: that the law which the commissioners on the part of the United States asserted had been violated by England in the building, escape and equipment of the "Alabama," the "Shenandoah," the "Florida," and other cruisers, was merely a municipal regulation of the United States, which she had set up for her own guidance in the matter of defining and limiting her neutral relations when other nations were belligerent and the United States was at peace. It was in no sense an international rule. There being no rule, no national law, no formal compact of any kind, that bound the Government of Great Britain by the rules governing the conduct of nations, there, of course, was no law

to violate on the part of Great Britain. If no law exists to regulate the conduct of individuals in a State, there can be none to violate. If no international law, rule, or compact exists between nations there can be none to violate. The three rules set up in the treaty of Washington defining, explaining, and limiting the rights, duties, and obligations of neutrals, have established now an international rule of conduct which binds both governments hereafter in case any similar controversy arises. The very fact that these rules were incorporated into the treaty, they not being quoted or adopted from any precedent, shows their prior non-existence. The theory which underlay all the negotiations between the two governments in framing the treaty was simply this: There being no law existing between the two countries, there could be none to violate: hence, Great Britain was guilty of no violation. But for the sake of maintaining friendly relations between the peoples of the two countries, and in the interest of peace and to avert the dire calamities of war, Great Britain consented, humiliating as it was, to enter into an arbitration, and to be bound by the acts or award of the arbitrators, which she ultimately and honorably did, fulfilling her treaty obligations both in spirit and in letter. The spirit of the treaty was the spirit of equity in the largest, most general and most equitable sense. It had its origin in an enlightened, humane, and liberal conscience. The two nations, divorced from law, separated from all legal obligations, entered into a compact of conscience in the forum of conscience. This being the taproot of the proceedings, the spirit which led to the treaty, which governed its formation, which framed its articles, it is very clear that whatever might result in the form of funds from such negotiations, would be utterly and totally clear from all legal limits or liabilities, from all technical obligations on the part of either government, and especially on the part of the United States. The United States in these proceedings, and at Geneva, acted as the voluntary guardian and sole possible protector of the rights of their citizens. They went before the International Tribunal by their agent, by their counsel, in their pleadings, and in their statements of facts, and asked judgment in their own name, in their own behalf, to make such use of any payment that might be made in the judgment rendered thereunder, as in their own humane and enlightened conscience they might see fit. The advocates of the owners of vessels and cargoes, and the ship-owners

and shippers, who paid war premiums against the risk of capture, have always presented and urged their claims upon Congress from this stand-point and upon these principles: that no legal liability existed on the part of the United States for these losses, any further than might grow out of the measure of protection which the Government of the United States owes to all its citizens and all the property under its flag. It is a liability and an obligation which, if enforcible at all, is probably not within the jurisdiction of the courts excepting as they are created, and jurisdiction specially given to them at the hands of the National Legislature. They went to Congress and plead their cause on the ground of justice, on the ground of national duty, on the ground of national obligation, to protect the property of its citizens floating upon the high seas. In this spirit they conceived and pressed their arguments to ultimate results and solid conclusions. The chief work has been for the last eight or nine years in carrying on this discussion to meet and dispose of the technical arguments of the underwriters. Their position was technical from first to last. They had nothing but technicalities. Justice certainly was not on their side. They said they had claims. Clearly there can be no claim in the proper sense where there has been no loss. The underwriters paid losses, to be sure, aggregating, as has been said before, about four millions of dollars. But they got their pay for it. The dealers with those companies who paid their premiums for a period of five years, paid just what rates the underwriters saw fit to charge them, and those payments formed the different funds out of which not only the losses were paid, but profits in all but four instances were made. There was a total of forty-one companies that paid losses as the result of captures by the Confederate cruisers. The former court gave them an opportunity to come in and show what they received in premiums from their dealers, and what they paid out in losses to the assured, where losses took place. If the payments for the losses on account of captures exceeded the total amount they had received from premiums for insurance, then they took a judgment for the difference, and the balance was paid in 1876.

There were three companies in New Bedford and one in Newburyport only that could show a loss. The doors of the court were open to all the companies for nearly three years. Each one had an opportunity to come in and show its balance-sheet. Only

four did so. The logical conclusion is that the rest had no loss to show; in other words, that they had made money out of the business of insuring against war risks. To have paid these companies for what they paid out for war losses would have been to have added a second profit to that already made out of their policy-holders. It is but fair to state, in justice to the marine insurance interest of the United States, that the preposterous and absurd claims advanced by some of the companies were supported by only a few. The reason why they ever gained any foothold in Congress was because the arguments were technical, specious, and fallacious. Congress is in a large part made up of lawyers, men trained at the bar, and of long experience on the bench. The greater portion of them are from the interior States, where there is no ocean commerce, who necessarily have had no personal familiarity with shipping, maritime law, or admiralty practice. It is a singular fact in this whole discussion, that with probably one or two exceptions, not a single member of Congress from any State where his practice had brought him in contact with a knowledge of shipping and maritime matters, has been found to advocate the cause of the underwriters. The largest vote the insurance companies ever obtained in the House was in the summer of 1876, when out of a total membership of two hundred and ninety-two, they got thirty-five votes. Nearly all these were from the Southern States, a few from the West, scarcely any from New York, and none from New England. The longer the discussion proceeded, the fuller the information that was acquired, and the clearer the light that was thrown upon the subject, the less headway the underwriters made, and the more progress was achieved on the part of their opponents. For the last four or five years the advocacy of the insurance companies' claims has been confined almost entirely to two or three companies in the city of New York. The one having the largest claim, the Atlantic Mutual, whose total amount of principal and interest was some three millions and a half dollars, has been through its advocates, directly or indirectly, the principal opponent of the distribution of this money in the mode that Congress finally has adopted.

The law of June, 1882, reënacts the law of 1874, except so far as it may be modified by this act; creates a court of three judges and not five, as in the former tribunal, and gives to the court jurisdiction of two general classes of claims. The first class is for the loss of vessels and cargoes, freight money,

personal effects, and wages of officers and crews for the time they were unemployed after capture, until they got reëmployed, and their incidental expenses, for a period not exceeding twelve months after capture. Many of these captures were made in distant waters, and in not a few cases officers and men were unable to obtain employment for not only months, but years. The writer had in charge one case of the steward and stewardess of a vessel captured in 1863 in the South Pacific; and after long wanderings in China and Japan and upon the Pacific coast of the United States, it was nearly four years before they reached their homes in New England. The next class of claims includes the losses by any Confederate cruiser during the rebellion, whether that cruiser had ever entered a British port or sailed under British auspices. The simple test is whether the cruiser carried the Confederate flag, or sailed under Confederate authority by virtue of a Confederate commission. If it did, then the owners of property that was lost by the acts of such a vessel are entitled to enter a case for indemnity and recovery of compensation, provided they file their claims within six months from the organization of the court. This time for filing claims expires January 14, 1883.

The other class of claims is generally known by a short term of definition as "war premiums." This brief definition amplified means simply this: In time of peace, when a vessel goes to sea, the insurance, if any, is generally effected only against risk by sea, peril of storm, or rock, or foundering, or any casualty of the elements, or any act of nature. The ordinary clause in policies of this kind against the acts of pirates, as decided in a test case, that of the ship "Golden Rocket," by the Supreme Court of the United States, did not cover a loss by capture through Confederate cruisers. These cruisers in a technical, legal sense, were not pirates. Pirates are the roving banditti, the highwaymen of the seas, capturing and marauding without any commission from any authorized power whatever. A pirate is a mere highwayman, the unauthorized plunderer of the ocean. The Confederate cruisers were not pirates. To be sure they performed acts in the nature of piracy, but in the sense known to the law their acts were not piratical. Their seizures and captures were, by the laws of war, legal captures. Their acts, by the rules governing belligerents, were lawful acts. The United States blockading the ports of the Confederacy prevented the possibility of taking to

any port, for trial in admiralty, the lawfulness of those seizures, and prevented any formal act of condemnation by a prize court. This obliged them to destroy their prizes at sea by burning or scuttling. If they had had any port of their own, or any friendly port, these prizes would have been taken before a prize court for release or condemnation. But the blockade by the United States of all the ports of the Confederacy, precluded them from the possibility of any prize courts of their own. It was too long a step toward an "overt act," for the sympathizing friendship for the Confederacy, existing in the British colonial ports, to allow a prize court, and prize proceedings there. That, clearly, on the part of Great Britain, would have created a legal liability, which she did not see fit to assume.

Some expressions of sentiment have been made that the Government of the United States had no right whatever to give to a court of its own creation jurisdiction to pay losses out of what is known as British money, where the loss was caused by a cruiser that was neither from, nor had friendly assistance in, a British harbor. But this is a mere sentiment growing out of a misapprehension of the history of the proceedings, the nature and spirit and purpose of the treaty, and the supreme and decisive right which the United States Government has, and has exercised in reference to the distribution of this money. The "Alabama" and "Florida" were the parents of all the other cruisers, big and little, that sailed the high seas, and captured the property of American citizens. It made no difference whether they came from, or had support and assistance in British waters or not. As has been said before, the United States, as a sovereign power, exercising sovereign discretion, endowed with authority to enact simple justice for the benefit of their citizens, have determined (and wisely so) that if the loss was a loss on the high seas by a cruiser carrying the Confederate flag, and acting under Confederate authority, the owner of the loss, so to speak, is entitled to his *pro rata* share out of this fund.

The greater portion of this money will return immediately to investments in ocean commerce. Its distribution will assist rapidly and in more ways than is generally understood, the revival of American commerce upon the high seas. The very passage of this act is an indication that Congress is realizing the necessity of legislative relief to the shipping interests of the country. The detention of this money for so many years

in the Treasury, has been cause for doubt to ship-builders and ship-owners, to exporters and importers, whether Congress had the remotest interest, or regard, for the ocean commerce of its citizens. But now that it has taken action, and in a wise, liberal, and certainly just and beneficent manner, it will revive hope, and increase the expectation that Congress will continue in the good course in which it has begun; that it will modify its ancient and obstructive navigation laws; and will attend to the regulation of the tariff, so that the shipping interests of citizens of the United States will have a fair field in competition with the citizens or subjects of other powers. At present we are at an immense disadvantage. Every foreigner who puts his money into shipping can compete with an American with many points in his favor, and the result is that American ports are crowded with foreign flags, and that American shipping is disappearing and diminishing, in number and tonnage, in foreign ports.

The important question arises: Will there be money enough to go round? Will this balance of ten or eleven millions, or whatever it may turn out to be, dependent upon the rate and time of interest, be sufficient to pay everybody in full for his claim, or must there be a general scaling down, and each one take his *pro rata* sum, depending upon these elements? It is impossible to answer this question definitely. When the time expires for filing claims, the clerk of the court can easily give a summary of the amount claimed, but this will not determine it accurately, because there will be claims which cannot be proven; there will be estimates of values of vessels and cargoes and personal effects which cannot be sustained. There will be quite a large cutting down in these directions; necessarily so. The claimant will not recover more than he claims, and, as a rule, he will be certain to claim all that he is entitled to, and perhaps considerably more than the court will think the evidence warrants it in paying. The estimate, well founded, is that at least one-fourth of the claims will not be filed in time, or will fail of judgment for want of competent and sufficient proof. It is now twenty years and over since these losses began. The experience of the former tribunal shows impediments and difficulties impossible to overcome. Numerous questions of law will arise: nice questions of jurisdiction and legal right to be passed upon. The Government will be ably represented by the counsel-in-chief at the trial of

causes before the court in Washington. It will be ably represented by associate counsel in cities and places where the claimants reside.

The President has called to the head of the new commission the Hon. Hezekiah G. Wells, of Kalamazoo, Michigan, the Presiding Justice of the former commission. His associates are the Hon. James M. Harlan, of Iowa, formerly in the Senate of the United States from that commonwealth, and at one time Secretary of the Interior under President Lincoln. The other member is the Hon. Asa P. French, of Massachusetts, eminent in his profession.

The occasion seems to present a proper opportunity for some reflections and suggestions as to the general subject. First, it is evident that the whole proceedings—treaty, Geneva arbitration, the act of Congress, the Alabama claims—are results, in various forms, of the war of the rebellion. These losses, that have been and are to be indemnified, were war losses. They would not have occurred, but as a consequence of the war upon land. Supposing any situation arises in the future, similar to that which existed from 1860 to 1866, what course shall the "powers that be" pursue? What action shall they take, in reference to the ocean commerce of the United States? During the war period, there were transferred to foreign flags, almost solely to the British, nearly eight hundred American vessels. In the aggregate, about two-thirds of the American tonnage passed from under the American flag to foreign flags, and none of it has ever returned. The statutes of the United States prevent the re-registration of an American vessel that has been transferred by the voluntary act of the owner. One of the first things Congress should do is to repeal this law, and allow the owner of a vessel to transfer her to any flag he pleases in times of public necessity. This right is given to the subjects of Great Britain, and to the subjects of nearly all the other maritime powers of Europe. Those powers recognize both its wisdom and its necessity, its direct benefit to the owner, and its indirect benefit to the Government under which the property belongs, and by which it is protected. If capital is invested in land or buildings, a municipal tax, in the theory of municipal regulation, protects it against the violence of the mob. The municipal tax is a consideration paid by the citizen for the support of police and militia forces, as a defense against the violence of mobs. A recent instance, two or

three years ago, occurred at Pittsburg, Pennsylvania, where a mob destroyed a large amount of property in the custody of the Pennsylvania Railroad Company. Here the Supreme Court of Pennsylvania, after careful consideration, held that the County of Alleghany, of which Pittsburg is the center, was responsible for these losses, aggregating nearly two millions of dollars, and it was held liable to pay them. The only difference, so far as taxation goes, between protecting property on land, and upon the high seas, is, simply, that in the former instance the consideration for the protection is a municipal tax paid to the State, insuring State protection; whereas, in the case of vessels it is a Federal tax, insuring Federal protection, where the State power cannot possibly reach. Theoretically, the money paid for the registry fees on vessels, for the annual tonnage taxes and other imposts of various kinds, goes through the Treasury Department to the credit of the Navy Department, for the purpose of building, equipping and maintaining a navy for the protection of vessels and their cargoes, persons and their effects upon the high seas, where forts and land forces cannot extend any shelter or defense. The municipal tax is for the police and for the militia. By the very theory upon which it is assessed it is the consideration which citizens pay the State for the police and militia protection of the property upon the land. The various taxes assessed and levied by authority of Federal statutes go to and are to be used by the Federal power for protection upon the ocean. If from inability, neglect, or inefficiency on the part of the municipal authorities, the property of the citizen upon the land is lost, the law provides, through the courts, indemnity and compensation. Special statutes in various States make these provisions. Unfortunately we are not aware of any provision of a similar tenor and purpose, by which the citizen losing his property upon the high seas is entitled to indemnity and compensation from the Federal power. Nevertheless, if the strict technical legal obligation does not exist, the moral obligation upon the part of the Government toward the citizen, and the equitable right of the citizen as against the Government, certainly do exist. It cannot be denied that it is the part of a wise and efficient government to do all within its power to strain every nerve to its utmost to protect ocean commerce, and especially in times such as existed during the late rebellion, or during any international conflict. The chief sources of revenue to the United States are

directly or indirectly from the property invested in shipping by its citizens. A wise self-interest, a prudent foresight, a policy that looks to the utmost economy of power, would naturally and inevitably lead to the adoption of measures best calculated to promote and foster the shipping interests of the country, and especially in time of war. There should be no restraint put upon the citizen by the legal power of the Government that is not compatible with the most economical and efficient use of the capital invested in maritime adventures. History shows that Great Britain has paid more careful attention to this department than to any other. The result is that her merchant marine is at the head of the maritime powers of the world. The total complement of officers and men, in vessels sailing from home and from colonial ports, is in the vicinity of three hundred and fifty thousand. A study of the legislation of Great Britain in this department is a field that should be explored by the laymen and legislators of the United States. The practice and policy which have succeeded so well with our English cousins cannot fail to meet with like results if adopted by us. There are no real or practical differences existing between vessels sailing under the Cross of St. George and those sailing under the Stars and Stripes. That force which has increased the fleets of Great Britain would inevitably increase those of the United States. We have far more extended sea-coasts, better harbors, longer, larger and deeper rivers, larger mines of coal and iron, better and heavier forests of timber, than they have or can draw upon outside of the British Dominions. Scarce any limit can be placed upon the natural resources of the United States that can be utilized and are ready at hand, developed out of the great arcana of nature.

Another reflection arising from the history of these proceedings—the formation of the treaty, the arbitration at Geneva, and the arbitration at Halifax, known as the Fisheries Commissions—is that, notwithstanding that arbitration is a very desirable substitute for war, and its loss of life and property, yet it is a very uncertain, unwieldy, and inefficient method of settling international disputes. Each treaty settlement of international questions is a special compact to cover the special circumstances of existing cases at the time. In their very nature they have no permanent character, as in the case of the Treaty of Washington. They are so framed that disputes as to their meaning, and disputes as to jurisdiction, inevitably arise under them. When the

United States presented its claim before the Geneva tribunal, and set out five different counts in its declaration, and the case was published in the British press, an outcry from her newspapers and her rostrums shook England to its center. There was a sudden and appalling fear that the United States had presented a cause of action against Great Britain, the indemnity for which would be about equal to the total British public debt. What was the cause? Simply that the language of the treaty was so indefinite that it was well-nigh impossible to determine the kind and extent of jurisdiction that the tribunal of five arbitrators had under the provisions of the treaty. The British counsel immediately raised in formal manner this question of jurisdiction, presented it by a demurrer properly filed with the tribunal in due form, just as a question of jurisdiction would be raised under a statute in a Federal or State court. The objections of the British Government, through its counsel, were aimed directly and generally at what were known as the indirect claims. It was a phrase coined out of the existing circumstances, and for the convenience of the hour. It meant nothing, and defined less. For a time it appeared as though, from this discussion, the two nations would separate and the arbitration prove abortive. But, as has been said, true statesmanship is ever equal to the emergencies of the time. For the final judgment, for the satisfaction of both sides of this troublesome dispute, we are largely indebted to the trained sagacity and wise judgment of Caleb Cushing, who was the senior counsel for the government of the United States before the tribunal. It was his mind that moved the wires which finally brought the two governments together in harmony before the arbitrators. The result of this dispute has been the chief bone of contention for the last six or eight years before the Congress of the United States, as to whether the tribunal rejected the so-called war premium claims as outside of and beyond its jurisdiction, or whether it included them in the amount of the award. From a close study of the protocols which led to it, of the demurrer filed by the British Government, of the pleadings of both powers before the arbitrators, the whole thing becomes a sort of harp of many strings, from which almost any argument or conclusion can be deduced. Only one thing can be made certain, and that is that the war premiums were objected to by the British Government; that they were demurred to by the British counsel as not within the

jurisdiction of the tribunal, and that the tribunal took some action in reference to them. Precisely what the scope and legal effect of that action was, it is somewhat difficult to determine. It is very certain, however, that when the arbitrators finally determined the amount of the award, fifteen millions and a half, they did not specifically exclude war premiums by name.

They did, however, specifically exclude by name five other classes of claims. They gave a reason for exclusion in each specific case. Now, it is only fair to the arbitrators, and logical also, to infer from that conclusion, that, inasmuch as they did not, when they fixed the amount of the award, exclude war premiums by name, these were fairly included in determining that amount. But, whether so or not, it can make no difference as to what course Congress shall pursue in distributing the money, because we start with the proposition, and pursue the theory all the way along, that the United States in distributing the money are not to be governed in the least by what governed the arbitrators at Geneva. In the matter of distribution, the Government, the authority of the United States is sovereign, and exclusively supreme. The point is, that the provisions of the treaty had such a looseness and indefiniteness about them that it led to disputes —that it was very difficult to avoid the absolute estrangement of these two great powers. When we come to the Fisheries Commission at Halifax, to settle the right to fish within a certain line along certain provinces of Great Britain, we find the same looseness and indefiniteness of expression that at one time threatened trouble between the two countries. The arbitrators at Geneva were five, at Halifax three. Only two of the arbitrators at Halifax signed the award of two millions and a half. Hon. Ensign H. Kellogg, of Massachusetts, declined to sign. Straightway arose a discussion in the public press and in the Congress of the United States whether by the terms of the treaty an award signed by only two of three arbitrators was binding upon the debtor Government of the United States, and consequently it was an open question whether the verdict at Halifax should be paid or not. Finally the question was settled by the payment of the amount, although there are precedents to show that the United States were not lawfully bound by the terms of the treaty to make the payment on an award signed by only two of the arbitrators. A similar question arose as to the North-west Boundary line many years ago, between Great Britain and the

United States, and the commission to determine that boundary was totally abortive, failed to accomplish its purpose, and went to pieces—did nothing. The question was left an open one for many years, until it was taken up and definitely settled by the treaty of Washington. So we find historical instance after instance of remote and recent dates, where treaties have failed; where international commissions have been abortive, on account of the uncertainty of the language authorizing the action.

The question arises, What shall be done? What is the wise and proper course to guard against these contingencies? What policy shall be adopted to make these things certain and definite? We can see no method except to change the policy entirely. A treaty is a special and temporary contract between powers, the same as agreements or bargains are between individuals. Now, it would be as wise for the State, within its own dominions, to attempt to settle disputes between individuals as they arise from time to time, by special statutes, special arbitrations, or references under those statutes, as for nations to attempt to settle their differences by the present mode of temporary treaties and temporary international contracts. The only safe, efficient, and permanent remedy is an international code, such as has been mapped out from time to time by various publicists, and especially by the Honorable David Dudley Field, in his volume entitled "An International Code." To this we must ultimately come, or the civilization of the nineteenth century retrogrades. Here is a field which thoughtful men, which students, which citizens having a wise and prophetic interest in the future welfare of the republic, in its relations to the other States of Christendom, should explore, examine, and carefully consider. It is not our present purpose to go into particulars. We have no design now other than to seize upon the present occasion as a fitting opportunity for general suggestion.

J. F. MANNING.

THE

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Tros Tyriusque mihi nullo discrimine agetur.

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NORTH AMERICAN REVIEW.

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THE COMING REVOLUTION IN ENGLAND.

ENGLAND at the present moment affords beyond doubt the best field for the study of the social development of our times. To a superficial observer we are still the Chinese of Europe, clinging to old forms and old reverences, which have long since been discarded elsewhere; though a closer examination shows clearly that we have entered on a period of change which will probably carry us far in advance of anything yet seen, either in Europe or America. Few educated Englishmen, if pressed for a deliberate opinion, would deny that there is every likelihood that a complete social and political reorganization will be attempted in these islands before the end of this century. Even among the useless men and women who dub themselves "society," an undercurrent of uneasiness may be detected. The dread word "Revolution" is sometimes spoken aloud in jest; more often quietly whispered in all seriousness. The luxurious classes feel that there is something going on below which they do not understand, while now and then the truth that they are after all but a handful of drones amid a dense swarm of ill-housed and underfed workers forces itself in dimly upon their minds. "Of course," said one lady, "we know the working-classes can overwhelm us if they are only organized, but what is to come then?" The deluge was to her but a swollen brooklet compared to this loosing of the waters of democracy.

Now this growing consciousness of weakness if, if, if—this or that takes place, which sooner or later is allowed to be certain to come, acts itself as a force on the side of the people. The "it will last our time" sort of men soon go the wall in days of real popular excitement. Those who refuse to look thoroughly into the problems of their own age and country, cannot fail to make grave mistakes when brought face to face with the relentless necessities of social evolution, or even with a body of enthusiasts who know their own minds. Ignorance and cowardice invariably engender spasmodic injustice and hap-hazard cruelty. And the worst sort of ignorance is that which neglects to take account of natural laws, the most hopeless cowardice that which leads men to shut their eyes to approaching danger.

Among the upper and middle classes in England to-day there is absolutely no ideal for the future of their country. There is not a single idea stirring among them which can give hope to the old or can fire the young. Materially it is the same. Neither of the present organized Parliamentary parties offers to the mass of Englishmen any real change for the better in their own condition, or proposes measures which hold out the prospect of a brighter lot for their children. The bills before the House of Commons at this hour exclusively concern the welfare of the middle class, consequently there is an utter apathy in relation to them among the workers. What does a man who has to keep his wife and children on five dollars or less a week care about the provisions of a bankruptcy act, or the assimilation of borough and county franchise? All he knows is, that somehow or other he has to work day in and day out to keep body and soul together; that to-morrow he may be unable to earn even the scanty pittance he at present gets; and that then, from causes quite beyond his own control, he may have to exchange the squalid misery of his home for the yet more squalid misery of the poor-house. No doubt such a hand-to-mouth workman rarely reflects on his social wrongs. But, when he does, from thought to action will be a very short step.

Events just now move fast. Landlords, for instance, can scarcely help observing that in Ireland, despite coercion acts, a revolution is being wrought which can be but the beginning of a complete change of system. At first the movement was only a middle-class agitation, yet see what has been done in two years. The farmers are still discontented, but already, ere they are pacified, the day-laborers make themselves heard.

Those who imagine, however, that the working-classes in England will not be influenced, in the long run, by what is going on in Ireland, take a very short-sighted view of the situation and its surroundings. However favorable the conditions may be, this kind of political yeast ferments slowly through the great unleavened mass of the people; but it does its work all the same. The undefined fear that this may be so accounts for the uneasiness referred to. What if similar steps should be taken on this side of St. George's Channel? What if Englishmen and Scotchmen should call to mind that though the land of Ireland is held by 12,000 people against 5,000,000, the land of Great Britain is owned by only 30,000 against 30,000,000? What if those who live on the starvation wages graciously accorded them by the hypocritical fanatics of supply and demand, with never the hope of rising above the wage-slave class—what if they, ground down under the economical pressure into a depth of degradation inconceivable to those who have not witnessed it, should demand the fruits of their labor from the classes who live in luxury on the produce of their toil. What indeed? At the very thought of it a chill shudder creeps down the back of the land monopolists and the capital monopolists alike, and they cry aloud in chorus for more and yet more tyranny in Ireland, and huddle together into a "Liberty (!) and Property Protection League" here. For they know, if "society" and the workers don't, that the interests of the producing classes on both sides of the Irish Channel are the same, and that should a struggle commence it will be a furious class-war between the capitalists and middle class aided by the landlords,* on the one side, against the working-class aided by a few thinkers, enthusiasts, and ambitious men, on the other—a struggle beside which the old fight of the burgesses and men of the "new learning" against nobles and clergy would seem child's play.

* Among the wiser leaders of the Conservative Party in the past there has always existed some sort of vague hope that an alliance might be formed between the landowners and the people against the capitalists. Mr. Disraeli certainly had this idea. But to carry it into effect called, and calls, for sacrifices of which our English nobles and squires are quite incapable. They talk boldly of patriotism, but they always keep their hands tight clenched in their breeches pockets. Of late this whole policy has been thrown aside with contempt, and Lord Salisbury and Sir Stafford Northcote make no secret of their anxiety to make common cause with the plutocracy in favor of the "rights of property" against the rights of the people. A Conservative programme truly.

He who writes the history of class-wars writes the history of civilized peoples. A new, and—unless far more wisdom and foresight is displayed by the well-to-do than now seems likely—a bloody page of that history may ere long be turned over with us here in the "Old Home." In such circumstances what course should be taken by any man who wishes well to his country? Surely to try to read aright the signs of the times, and to endeavor to convince others near and far that in such a battle surrender is both nobler and safer for the weaker party than inevitable defeat. As an Englishman who has had special opportunities of watching our social growth from many points of view, I venture to think that the following may be of some interest to the great English-speaking democracy on the western side of the Atlantic Ocean.

It is a commonplace to say that a hundred years is a short period in the life of a nation, yet few perhaps reflect how short it really is. A man of seventy in this year 1882—and nowadays our English statesmen are, so to say, in their "teens" at fifty—might have conversed as a youth of eighteen with his father, who, if he had then attained likewise three score and ten years, could retain a clear personal remembrance of the events of the American War of Independence, and must have passed through the era of the French Revolution in the prime of manhood. Thus considerably less than two ordinary lives carry us back to a date which, in certain respects, social and economical, seems as remote as ancient history. It needs an effort of the imagination to recall what England was in 1782. Nevertheless, those who have studied the years immediately preceding the great war with France know well that at that time the opinions of educated men were to a large extent in advance politically of what they are to-day. The writings of Thomas Paine, Priestley, Horne Tooke, Thomas Spence of Newcastle; the speeches of the elder Pitt, Burke, Fox, Sheridan, and Colonel Barré, to say nothing of the crowd of pamphleteers who in one way or another reflected the ideas of Rousseau and Voltaire and the general tone of the working-classes in their ordinary talk, all shadowed forth a political movement in England not very widely different in its objects from that which wrought so great a change in France. A hundred years ago the Duke of Richmond fathered a bill in favor of universal suffrage and annual parliaments, and a man was tried for high treason because he agitated for a national convention. It is certain that the mass of Englishmen,

so far as they could give expression to their opinion, fully sympathized with the early phases of the attack upon the *ancien régime* in France, and would gladly have followed up the policy so successfully begun in America and carried on by the French in the direction of a complete enfranchisement of the people.

Yet here we are to-day without reforms admitted to be necessary by Lord Chatham, and considered with a view to bringing them forward from a Tory point of view by his reactionary son. The present House of Commons, though supposed to represent thirty-five millions of people, is really elected by a little over three millions; the House of Lords still has the power, as it so disastrously showed by rejecting the bill for compensating evicted tenants in Ireland, of thwarting, for a time at least, any genuine liberal measure carried by the so-called popular chamber. The House of Commons itself also, elected as stated, consists of a compact phalanx of landlords and capitalists, whose interests are directly opposed to those of the great body of the people. What Thomas Paine called the game of ride and tie still goes merrily on. Tories and Whigs, Conservatives and Liberals, take turn and turn about in cajoling their constituents, and enjoy the sweets of office as the reward for their dexterity. The cost of elections and the non-payment of members shut out all but men of the well-to-do classes, or the two or three specimens of the working-class who are ready to do their bidding. Now it is clear that there must be some great causes to account for this remarkable set-back, since the revolt of our American colonies, and the teaching of vigorous minds, both in England and abroad, led the English democracy to look to a thorough reform of the constitution, or even to the establishment of a republic as not only advantageous, but necessary.

Mere political reaction will not fully explain such a strange collapse. Doubtless the war against France, into which the nation was dragged by the aristocratic class, had a great effect. The horror, more than half manufactured, which was felt at the fate of Louis XVI. and Marie Antoinette, helped the reactionists and the war party. Burke and others did their utmost to fan the flame. The Reign of Terror in Paris, exaggerated by the calculated panic of the upper classes intensified the popular feeling. And of course when once we were fairly at war the old dogged spirit of the victors of Crécy and Poitiers was roused, the fatal mirage of glory tempted the suffering people on, and

internal reorganization was practically thrust aside in favor of naval triumphs and glorious battles. If we lost, it would never do to be beaten like that; if we won, why, all was going well. Hurrah for old England! To this day, also, the French Revolution and the Reign of Terror are quoted in almost every middle-class household as standing warnings against any attempt of the people to organize themselves in earnest. Who shall say, moreover, what an influence the common school-books have had in this direction? Till within the last few years all history for the young has been compiled in the direct interest of reaction. Not the least noteworthy, therefore, among the smaller signs of coming change is the fact that at the present moment efforts are being made to correct the ideas which have been current with regard to the leaders of the French Revolution among the working-class. Lectures are constantly delivered and pamphlets distributed in the growing radical and democratic clubs, which run quite counter to the middle-class idea of that great upheaval. Robespierre, Danton, St. Just, Couthon, and even Marat are rehabilitated completely, and held up to admiration as men who sacrificed themselves to the good of the human race. This, too, though they themselves all belonged to the very class which the extreme advocates of the rights of labor commonly denounce.

But deeper causes have been at work than the shock of the Reign of Terror or the satisfaction of martial ardor. At the end of the eighteenth century the long and bitterly cruel process of driving the English people from the soil was pretty well completed. The idler landlord and the capitalist farmer had quite displaced the sturdy yeoman of old time. Commons were being daily stolen by individuals, and an increasing portion of the agricultural population now reduced to mere wage-earners to the farmers, were driven into the towns, where they became mere wage-earners to the factory lords and shop-keepers. The increasing power of steam, together with the terrible laws favoring long hours and prohibiting combination among work-people, handed over the population of the cities bound hand and foot to the masters — the sole owners of the means of production. The furious destruction of machinery, which frequently took place; the long, violent struggle against the masters for shorter hours, for restriction of child and woman labor; the persistent endeavors of the workers, as a class, to obtain some little freedom,— all show how fearful the pressure must have been. Readers of William

Cobbett can form some idea of the horrors wreaked on helpless women and children, of the infamous tyranny practiced upon almost equally helpless men by the factory-owners and their managers. The reports of the various commissions give a still more fearful picture of what went on. So grave was the deterioration of the physique of the poorer classes in the rapidly growing manufacturing districts, that positively a social collapse threatened from this cause alone.

Meanwhile, the whole system of which this was a development grew apace. Education there was little or none; justice as between employed and employer was not to be had. The workers were trampled under foot to a degree which the slave class even in ancient Rome never suffered from. In 1825 came the first of the great industrial crises which can be directly traced to our present system of production and the misery among the poor in town and country alike was deplorable. Fifty years ago affairs seemed really hopeless. Men who still remember the situation in the years immediately preceding the Reform Bill of 1832, say that there seemed little prospect of the slightest modification. The aristocracy — though their power had been shaken by the middle class — still held, to all appearance, effective control. What with rotten boroughs, sinecures, and bribery, they could still do pretty much as they pleased. That very manufacturing prosperity which had enabled the capitalist class to amass wealth directly, also enriched the landlords in the shape of enhanced rents indirectly, and thus increased their political strength. England was already established as the manufacturing power of the world, and the one idea of the classes which controlled its development was that the laborers who made for them all this wealth had really no rights at all. But for the activity of a few self-sacrificing men, even the first factory acts, which in some degree checked the hideous crushing down of the people, might have been delayed for years.

Thus, from the very time when some hope of real reform had dawned on the minds of Englishmen up to the miserably ineffective measure of 1832 — a period of fifty years — a relentless social pressure was going on in the cities and in the country, which helped the partisans of reaction to an extent that can hardly be estimated. England, too, we must never forget, lies outside the great European currents of popular excitement. The days of July in Paris (1830) which produced so great an effect elsewhere, were barely felt here at all. Still the economical con-

ditions of the workers were such, and the political disfranchisement of the masses was so galling, that it was clear even then that some attempt would be made to remedy their position. Men of our day have grown up into liberty, and forget how hard their fathers had to fight to maintain freedom of the press, right of public meeting, and the like. The Chartist movement, which began a few years after 1832, renewed in politics the Duke of Richmond's electoral plan of more than sixty years before — see how slow it goes! — the basis of the programme being manhood suffrage, annual parliaments, equal electoral districts, and the ballot. But below this the leaders had hope of real social reforms. Fine fellows, indeed, those leaders were. Some of them are living now, and known to me, and I do think nobler men with higher ideals have rarely come to the front in English politics. The spirit of the people was once again rising. That wave of revolutionary movement which at times seems to spread, no man knows how, from country to country, had begun to swell. The anti-corn law agitation, which went on at the same time, though kept up chiefly in the interest of the capitalist class, served to bring the miseries of their social condition clearly before the mass of the workers. Such men as Feargus O'Connor, Ernest Jones, or Thomas Cooper — to speak only of the dead — hoped for a sudden and beneficial change for the mass of their countrymen. Foreign revolutionists who were driven here just prior to '48, fully believed that in this country, at least, with its great factories and impoverished workpeople, its great landlords and miserable agricultural laborers, its political freedom and general disfranchisement,— that here, here in England, the social revolution would now surely begin, and the proletariat would at length come by their own. Alas! prison, disillusion and death awaited the English leaders; and their foreign coadjutors, worn out with waiting, still watch sadly but almost hopelessly for the dawning of the day.

That nationalization of the land, which is now so eagerly debated alike in the East and in the West, was a portion of their creed, and though the true economical explanation of the industrial phenomena by which they were surrounded are not clear to them, most of the Englishmen certainly wished to carry out a far more thorough programme than they thought it prudent to make public. But the movement of 1848 failed, partly because the leaders did not know their own minds at the critical moment, but chiefly because the people were not ready for the

change, and the social evolution had not—has it yet?—worked itself up to the needful point. Yet the men who wished for an immediate recognition might be pardoned for thinking, in the years just preceding the shake of '48, that a complete change could not long be postponed. Ireland was on the eve of that fearful famine which ended in the death or expatriation of more than a third of her population; England was approaching a period of serious depression, which could not, to all appearance, lead to any improvement for the mass; all over Europe, as well as in the British Isles, men had begun to say that anarchy could not be worse than the existing social oppression. No wonder that, in England in particular, the well-to-do classes drew together in anticipation of grave trouble, and wild schemes of taking hostages of the daughters of the wealthy were discussed on the other side. But suddenly the sky cleared. Emigration to America and Australia offered an outlet to the more ardent spirits, of which they were not slow to avail themselves. The Cromwells and Hampdens of the movement gladly took refuge beyond sea, and expended their energy in new countries. At the same time, the gold discoveries and improved communication gave a marvelous impulse to trade in every direction. Those who left became comfortable and wealthy; those who remained had at least enough to live upon. And so the revolutionary wave of '48, like that of '89, passed by our shores, causing but the slightest disturbance, and the mass of the people were left still in "that state of life" in which it pleased their "betters" to keep them.

From that time forward, though political agitation has been almost at a standstill—for what, after all, was the reform movement of 1866, or, for that matter, the household suffrage it led up to?—our development in other directions has proceeded with a rapidity altogether unprecedented in human history. Railways, telegraphs, ocean-steamers, submarine cables, have brought the peoples of the world together, and have enhanced the wealth-producing capacity of our species to an extent the wisest could not have foreseen as being possible within so short a period. Those sciolists who attribute the vast enrichment of England to free trade overlook the fact that the mastery of man over nature has increased in an almost immeasurable ratio during the last five-and-thirty years. We English, very lightly handicapped in the race, with our cheap coal, with our densely

crowded cities and socialized workshops, with the first-fruits of mechanical invention, with accumulated capital at our command, had the heels of the rest of the world from the start. During the whole of this period, from 1848 to 1878, we had almost undisputed control of the markets of the globe. Our commercial and industrial centers, London, Liverpool, Manchester, Glasgow, Sheffield, Leeds, Birmingham, Bradford, Newcastle, not to mention such places as Middlesboro' or Barrow, have increased in population to an extent scarcely to be surpassed even in America. Our agricultural population has meantime decreased most seriously, and mere lounger towns such as Brighton, Cheltenham, Scarborough, Eastbourne, etc., have sprung up to afford resting-places for the growing number of the indolent wealthy. But yet it is clear to all that the leaps and bounds of commerce, on which our middle-class financiers are never weary of congratulating us, have given far more wealth to the upper classes than comfort or well-being to the lower; that riches are rolling into the lap of the few, while the many suffer hideously from recurrent depressions, which sweep away every vestige of their prosperity; that unrestricted competition simply degenerates into combination and rigid monopoly, and that the beautiful theory of supply and demand, as applied to the working-classes of Great Britain, produces a state of things so deplorable that philanthropists wring their hands in despair, and even the economist hacks, whose business it is to chant the praises of my Lord Capital and all his works, are sometimes startled into denouncing the very system they champion.

For here in brief is our present position:

First. In no civilized country in the world is there such a monopoly of the land as in Great Britain.

Second. In no country are capital, machinery, and credit so concentrated in the hands of a class.

Third. In no country is there such a complete social separation between classes.*

* This is apparent to the most superficial observer. But it is amusing that Englishmen of the upper classes are often ignorant that so it is. Thus a well-known Anglo-Indian official of a radical turn said not long ago, speaking of Indian legislation: "Legislation in India is, of course, so much more difficult than in England. In England, you know, if you want to learn exactly what a body of men want, you just ask some of their principal people

Fourth. In no country is the contrast between the excessive wealth of the few and the grinding poverty of the many so striking.

Fifth. In no country is the machinery of government so entirely in the hands of the non-producing classes, or are the people so cajoled out of voting power and due representation.

Sixth. In no country are the people so dependent for their necessary food on sources of supply thousands of miles away.

Seventh. In no country is it so difficult for a man to rise out of the wage-earning class.

Eighth. In no country in the world is justice so dear, or its administration so completely in the hands of the governing classes who make the laws.

A few figures will bring out some of these points into high relief.

Thus, with regard to the land: According even to the statistics in the so-called "New Domesday Book," a compilation got out expressly in the interests of the landlords, 2,192 persons hold 38,726,849 acres of the total small area of Great Britain and Ireland, the people having been completely driven from the soil. Mr. Bright's statement that 30,000 people hold the agricultural land of Great Britain is positively very near the truth. Reckoning rents, royalties and ground-rents, it is calculated that landowners take not less than £135,000,000 out of their countrymen

to dinner and discuss the business quietly. But in India that sort of social gathering is almost impossible, or quite useless." Now, I'll be bound to say, that worthy gentleman does not number among his intimate acquaintance a single individual who works daily at his trade, let alone asking him to dinner. Yet our modern jurist would legislate for him and his, with the profound conviction that the right thing had been done. Probably the idea of what the men wanted would be filtered through an employer; and *he*, doubtless, would dine.

The other day a great capitalist—a member of the present Liberal Government—gave an entertainment to the representatives of the workingmen's clubs of London at the South Kensington Museum. It was all very nice, I'm told, but the tone of the *fête* was pretty much the same as it must have been at a gathering called by a feudal lord of old time, when he condescended to regale his retainers with a roasted ox and "fixings." Not a single middle class or upper class man was asked. Of course I am not saying that the working-classes are not as much to blame for this state of things as those who patronize them. I think they are. No one will give them the social equality they have a right to unless they claim it,—of that we may all be very sure.

owing to the monopoly they enjoy. Much of this vast revenue is, no doubt, heavily incumbered. This, however, makes it no better, but rather worse, seeing that the mortgages cripple the possessor and prevent him from making improvements; while there is no personal relation whatever between the mortgagee and the tenants or laborers on the mortgaged estate. Bad seasons and American competition in years of scarcity keeping prices low have, it is reckoned, reduced the value of land in England in many districts not less than twenty-five per cent. The percentage of bankruptcies and the registration of bills of sale among farmers have of late years been something distressing, and as it is impossible to grind the agricultural laborer down any lower—his average wages are but three dollars a week, and farmers charge him at the rate of eight pounds to twenty pounds an acre if he wants a plot of the land, which is let by the landlord to the farmer at £1 or £1 10s.—and the farmers can't continue to pay rent out of capital, a great change must be close at hand. Agriculture is still by far our most important industry, involving the employment of more capital and labor than any other. The value of agricultural produce alone is taken at three hundred million pounds a year on the average. A few years ago Mr. Caird put the landlords' agricultural rents at sixty-seven million pounds. A system like the present, which has no elasticity whatever, and acts as a positive injury to the community, cannot possibly last much longer. When reforms begin they will not stop short of the point which takes in the agricultural laborers.

Who can wonder that, as it is, we are so dependent on foreign countries for an over-increasing amount of food. Leaving Ireland aside, the population of England, Wales and Scotland in 1840 was, in round figures, 18,000,000, or rather over. In 1880 it it was 10,000,000 more, or 28,000,000. During that period agricultural science has greatly advanced, and machinery, improved communications and the like have increased the area of profitable cultivation. In 1840, however, we imported a total amount of £27,000,000 worth of food; in 1880 we imported no less than £164,615,012, and this amount is steadily increasing. Yet it is the opinion of such experts as Mr. Lawes, Mr. Caird, Lord Leicester, and others that, under proper arrangements, at least twice the amount of food might be profitably grown in Great Britain that is now raised, and our enormous importation

reduced to that extent. The grave danger of the dependence upon sea-borne food which might be cut off during war with any naval power, it is needless to insist upon. Enough that from this point of view also the land question demands immediate consideration.

But again, to show the operation of capital and its absorption of the general wealth. In 1841 the wealth produced in Great Britain has been taken at £514,000,000, though this seems an overestimate; at present the annual wealth produced can scarcely be less £1,200,000,000. The working-classes, however, who produce this, take a very small share of it in return for their labor. The actual number of workers cannot be put at more than eight millions—though this is a difficult figure to get at—and the power they exert has been estimated at not less than that of one thousand millions of men. Yet the average wages of the working-classes certainly do not exceed fifteen shillings a week, and the total amount paid to them would not be more than three hundred million pounds, as against nearly nine hundred million pounds absorbed by the upper, professional, and middle classes, in one shape or another. The last case shows, too, that while the producing class is not increasing so rapidly in proportion as the non-producing classes, including domestic servants, the actual pauper class is not decreasing. Mr. Russel Wallace even estimates those who are more or less dependent on charity at 4,500,000, out of our total population of 28,000,000.

Nor is there any possibility that under existing conditions this state of things will be altered. The tendency of improved machinery, used, not in the interest of the people at large, or under their control, but simply to enable manufacturers to undersell their neighbors and produce cheaply, is to create a "fringe of labor" always hanging on the skirts of the market ready to be absorbed in periods of "good trade," only to be thrown out again when the inevitable glut and stagnation follow. As to getting out of the wage-earning class, that, as a rule, is hopeless, and even if one fortunate artisan does, he but shoves a more needy man into his place. Since the beginning of this century there have been also seven industrial crises, and the crushing effect of those upon the rank and file of laborers, as well as upon the small shop-keepers who live upon selling them necessaries and trifling luxuries in small quantities, can only be known by those who have seen the houses of the poor sold up

and whole families driven on to the "parish" from no fault whatever of their own. Yet here in England, drawing wealth from all parts of the earth, no effort whatever is made to distribute this wealth more fairly among the people. The luxurious classes are quite content to see their taxable profits alone rated at fifty million pounds, while below men are glad to work for seventy-five cents a day, and cases of sheer starvation are common.

Once more as regards politics. That the House of Lords is a house of landlords is a trite saying; but it is worse, for many of their "lordships" are landlords and capitalists at the same time; and they, consequently, no longer, as in former times, exercise any control over the capitalist class. Look, however, at the composition of the House of Commons, elected, as I have already said, by a majority of the adult male population, and so arranged that no poor man can possibly sit in it without help from others. The interests of the aristocracy are represented there by 165 members; there are no fewer than 191 land-owners; bankers, traders, lawyers, manufacturers, brewers, etc., sum up to 285. Out of a house of 658 members in all, but two members belong to the working-class—a halfpenny-worth of bread, indeed, to this intolerable deal of sack.

Now here, surely, is the making altogether of a very pretty overturn if once the working-classes understand their position. There can be no mistake whatever about that. Nevertheless, the external aspect of affairs for the moment is tranquil in the extreme. Never were the people, to all appearance, so dull. Our agitators say that men have not half the spirit of the workers of twenty years ago, to say nothing of the Chartists of '48. This is, to a great extent, true, and the reasons for it are not far to seek.

In the first place, the capitalists are more than ever masters of the situation. Almost the whole press and literature of the country are devoted to their cause. The workers fancy they are free, and for the most part are quite ignorant of the fact that the wealth they see around them grows out of their poorly paid labor. Though they can, as a body, *feel* the iron law of wages, though they feel the effects of this law in overwork and short food, they still take it all for granted, and think —those that do think—that chance, or good times, or per-

haps strikes, may improve their condition.* Of the absolute necessity for general social and political combination to bring about genuine reforms, they know at present almost nothing. Moreover, above this rank and file of laborers there stands the aristocracy of labor—the trade-unions, who, though they have done admirable work in the past, now block the path of radical reform. As an old trade-unionist said of them the other day, they are a standing protest against the tyranny of capital, without the slightest idea of progress. Their leaders, too, are, almost without exception, more or less in the pay of the capitalists—Liberals who, in effect, use them to keep back their fellows. This game has been played for years. If a working-man shows himself capable, he is flattered; and, so far as anything in the shape of real revolutionary work goes, "squared."† It is amusing to see members of the Trade-Union

* It is from this iron law of wages that Marx has formulated his famous discovery of surplus value. A man accepts from sheer necessity the competition wages of his time, and sells his force of labor to the capitalist for the week or the day. But in two or three hours' work—Mr. W. Hoyle says, on the average, one and one-quarter hours' work—he will produce quite enough social labor-value to keep him or to refund the wages the capitalist pays him at the end of the work or day out of the results of his toil The laborer, however, does not week these two or three hours a day only, he works ten, twelve, fourteen, even sixteen, hours a day; for he has sold his labor-force to the capitalist, who can "exploit" it to any extent. Those extra hours, therefore, over and above the time needed to create the amount of value represented by the wages simply constitute so much unpaid labor which the capitalist takes in the shape of the surplus value created by the laborers—the articles of utility, namely, on which he has been employed. That surplus value the actual capitalist divides up with landlords, bankers, profit-mongers, and other gentlemen at large. When a workman first thoroughly grasps this nice little jugglery which is going on at his expense, he is apt to get a trifle warm in the expression of his love for the capitalist and "society" in general. How odd!

† The trade-unionists are a small fraction of the workpeople of England, yet they constantly pose as if they represented the whole body. There could be no greater absurdity. They are not even agreed among themselves on any matter of moment; and are, in truth, to-day a convention or rather a reactionary body full of the old "fads" about limitation of apprentices and the like, though meanwhile machinery is practically abolishing the skillful handicraftsman. The plan pursued by the capitalists has been very astute. They have found money for working-class movements just enough to carry them to the point where danger might begin. Then the support has been withdrawn. This system of pauper politics has debauched many a promising working-class leader, as I intend to show some day.

Parliamentary Committee button-holing members in that least democratic of all gathering-places, the lobby of the House of Commons, bowing and scraping, indeed, when, if the workers knew their real position, they would talk as masters. But this sort of thing will not go on forever. Economical pressure is becoming too strong. We are no longer absolute masters of the markets of the world; the depression in agriculture seriously affects the home trade; business is dull, even in the height of summer weather, and the next industrial crisis may absolutely force the working-classes to sink their petty jealousies, and the trade-unions their fancied superiority, in a more thorough movement than any yet contemplated. Meanwhile there are not wanting signs that another order of revolutionary agitation has begun to rise. All through London political clubs are being formed, at which social changes of the most complete character are warmly discussed. The same in the provinces. Everywhere the claims of labor to control production are being debated by knots of workmen; and invariably, so far as my experience has gone, from the socialist point of view. I do not say that there are many who are yet prepared to take action—there are not; but the number of workers who are taking the trouble to consider is increasing with surprising rapidity. For instance, little more than a twelvemonth ago a few English men and women, mostly of the working-class, started the organization known as the Democratic Federation. The programme includes the fullest possible representation of the people, and claims for them full power over every department of the State. Among its other aims are to obtain free justice, nationalization of the land, and eventually the control of the machinery of production by the working-class. Already we have held some of the largest open-air meetings ever held in London, and have been almost equally successful in the industrial centers of the country. This shows in itself that the political and social stagnation is rather apparent than real; that much is going on of which no account is taken by those who wish not to see.*

* The following is the programme of the Democratic Federation, as revised and sanctioned at the last conference: (1) Adult Suffrage; (2) Annual Parliaments; (3) Proportional Representation; (4) Payment of Members, and of all election expenses out of the rates; (5) Bribery, treating, and corrupt practices at elections to be made acts of felony; (6) Abolition of the

More obvious tokens of coming change, however, are not wanting. The House of Commons, which has for three centuries exercised such preponderant influence in the State, is falling into universal discredit. This is by no means wholly due to the strain which has been put upon all its traditions of free speech by the determination of a Liberal government to introduce undisguised despotism in Ireland against the protests of the representatives of the overwhelming majority of Irishmen. The deterioration had begun before.* First of all, the House, which should represent the nation, became merely the scene of party fights and faction squabbles, and thus it has degenerated into little better than a machine for registering the decrees of the cabinet—a body, be it remembered, quite unknown to our constitution. Even worse than this are the long, almost interminable utterances of wearisome members on matters of no moment. Let a local question be once started, and all the bores in the House are immediately in full cry. They are sure to know all about it—it is so unimportant. But still more depressing is the dead level of mediocrity among the younger men on both sides of the House of Commons. The traditions of oratory seem to have faded out from among them, and men look blankly around to see which of the industrious and painstaking gentlemen now posing as budding statesmen may artfully conceal under his apparent dullness the qualities requisite for leadership in these stirring times.† Formerly it was not so. Gladstone, Cornwall Lewis, Bright, Hartington, even Forster, Disraeli, Lord Robert

House of Lords and of all hereditary authorities; (7) Legislative Independence for Ireland; (8) National and Federal Parliaments, including Representation of Colonies and Dependencies; (9) Nationalization of the land; (10) Disestablishment and Disendowment of all State Churches; (11) Free Justice; (12) The Right of Making Treaties, of Declaring War, or Concluding Peace to be vested in the direct representatives of the people.

* This point was admirably put the other day in the "Newcastle Chronicle." This journal belongs to Mr. Joseph Cowen, the member for Newcastle-on-Tyne, and is almost the only newspaper in the kingdom which treats politics and social questions from an independent democratic point of view.

† I but repeat here what is common talk among political people. It is not that clever young men in other respects are wanting among the members. Some can write and lecture very well. What is lacking is that indescribable energy, independence, imagination, eloquence—that genuine political capacity, in short, which pushes a man to the front almost in spite of himself. How is it the Irish members stand out from the ruck? Surely because they have a cause which they believe in, and have a people at their back.

Cecil, Gathorne Hardy, had early given evidence of powers which could fire a democracy or influence a senate. What man is there among the English members under forty or five-and-forty—which is it of the landlording and conservative money-bags on the one side or the plutocrats, prigs, and professors on the other, of whom the like could with truth be said? The fact is, landlords and capitalists are alike played out. Their very finance is stuck in a blind-alley. They neither of them have a policy they can affect to believe in for themselves or with which they can hope to stir the pulses of the people. In a word, the House of Commons, as at present constituted, is little more than a middle-class debating club, with a party wire-puller in the speaker's chair. To revive the memory of its ancient glories it must far more directly represent the hopes and fears, aspirations and grievances of the great body of Englishmen, must gain strength and vigor in the free, bluff air of democratic agitation, and trust in the future to the mass of the people for support.

Meanwhile the very discredit of the pseudo-popular chamber prepares the way for root-and-branch reform. Gladstone, who is denounced as a revolutionary agitator, is really the last of the great middle-class transitionists, and with his disappearance a new era will begin. An agitation for the abolition of the House of Commons would even now find adherents. A little more, and the idea of a hundred years ago will spring again, and a national convention may force its way to the front. We have outgrown our political swaddling-clothes, and in any case constitutional forms are but the outcome of the social and economical structure beneath them. As that changes, so must they.

This decadence of Parliament is of course only a symptom. But outside, also, straws show which way the current is setting. Apparent stagnation, general mediocrity, almost universal listlessness in grave concerns, indifference to anything but the superficial aspects of events—these precede almost every great upheaval which the world has seen. To take an example of indifference. Among the ugliest growths of modern society are the numerous gangs of organized roughs—answering to the hoodlums of America or the larrikins of Australia—who parade our great cities, and too often, not content with mauling one another, maltreat the peaceful wayfarer. Yet in all the criticisms of the anonymous press on their action, from the "Daily Tele-

graph" upward, not one writer took the trouble to analyze the manner in which these people were fostered into their present brutality. Again, of late there has been a surprising increase of vagrants and loafers—many of them, by the way, trained militiamen or discharged short-service regulars, who would be ugly fellows in a street fight with their discipline and desperation—men who already render the highways by no means pleasant traveling for foot-passengers. In some districts tramps of this kind have increased ten-fold in number during the last few years. Here, one would think, was a social phenomenon calling for careful attention. Why are able-bodied men and women thus roaming the country? What are the causes which render them homeless, forlorn, and therefore dangerous? A bill for their repression was lately brought in by Mr. Pell, a Conservative, and Professor Bryce, member for the Tower Hamlets, and a "philosophical" Radical. Neither professor, nor scholar, nor any other human being in the House of Commons, considered the question from the point of view that society might be to blame. In the House of Lords, when the bill went there, my Lord Salisbury and my Lord Fortescue said matters were getting serious, and such ruffians ought all to be put under prison regimen. First drive men to want and misery by social injustice, and then punish them because, poor devils, they roam the country in search of food. Bravo, my lords and gentlemen, the bloody legislation of Queen Elizabeth against "the sturdy beggars" will soon be revived at this rate.

Once more. Here in London the number of the unemployed has swollen to almost an alarming extent, even during the summer months. Idle, good-for-nothing, drunken fellows, said the capitalist press; let them starve or go to the work-house. A friend of mine, a journalist of ability, who had been for two years in South-east Europe, was shocked at what he saw on his return, and took up the question. He soon found that the great majority of these thousands of workless people were neither idle, good-for-nothing, nor drunken. But the case of most of them seemed to him desperate. Ready to do almost anything, there was literally no work for them to do. My friend sent a note of his inquiries to a well-known Liberal journal. It was better, so wrote the manager in reply, not to call attention to such matters. "It could do no good." Thus the easy classes are shut out from even knowing what misery there is below them—

which any overturn can only improve—while what may be the result of such neglect in a troubled time no one stops to consider for a moment. A few other instances, and I have done. What is called the "sweating" system is increasing in every direction, with the result that young women actually work fourteen hours a day, for six days in the week, for a dollar a week, out of which they have to find house-rent and food! Several cases of this awful slavery have lately figured in the police courts. On the railways and elsewhere the tendency is to increase both length of the hours and intensity of labor to a point which means continuous exhaustion and early death—the death-rate of the working-classes is in itself a lesson when placed by the side of that of the well-to-do. Lastly, the increase of prostitution, especially of very young women and children, of late years, is alone enough to show the utter rottenness of our society. And yet, I repeat, all this passes almost without notice. Our statesmen and economists, our journalists and philanthropists, our politicians and jurists cannot but know these things in a sort of way; but, as to attempting to correct them, that is quite another affair.*

Now, let any intelligent American—he can find similar things, or not very different probably, within a stone's throw of him at home—come with me into some of the dwellings of the poor. Here, for instance, is a hard-working family living in a single room: they can afford no more. Father and mother, two daughters, almost grown up; two boys and a little girl, pig together in it as best they may. The court is crowded, the dwelling insanitary, the air unwholesome. Yet the two boys and the girl go to the board school for "education," and return with just enough knowledge to enable them to appreciate their social surroundings. They will, at least, be able to read and write, and know what is going on. Are they likely to increase the ranks of "conservative working-men?" or to rest content, unless humored with beer and tobacco, with arrangements which thus brutify them? I judge not. In the agricultural regions,

* The increase of luxury among the upper and middle classes is positively amazing. Only the other day I went straight from a working-man's work-room to the Harrow and Eton match. Is it within the bounds of possibility, I said to myself, that, with the school-master fairly abroad, this awful contrast between the waste of the few and the pinching of the many can long continue?

where there is plenty of room, I have seen arrangements quite as bad. Educate children, and then send them back to such conditions as these: is not this to prepare revolution with both hands? Still we hear the old fateful answer, it will last our time. I say it will not.

For, apart from the lectures of which I have spoken, books, pamphlets and fly-leaves are finding their way into work-shop and attic, which deal with the whole social question from the very bottom. Theories drawn from Dr. Marx's great work on Capital, or from the programme of the Social Democrats of Germany and the Collectivists of France, are put forward in a cheap and readable form. Mr. Henry George's work on "Progress and Poverty," also, has already found many working-class readers, and will find more when the cheap edition is ready. The same with Professor Wallace's book on "Land Nationalization," though neither of these writers meets the views of the advanced school on the subject of capital. But the pamphlets and fly-leaves—some of which are written by men actually working at their trade—produce a still greater effect. Our workers have but little time, and too often little taste, for reading. With them, therefore, short, pithy tracts are the ones that tell.*

In support of the views I hold as to the approach of a troublous time, it is scarcely necessary that I should refer to the growth of the Salvation Army, though this strange combination of the Convulsionists of the pre-revolutionary epoch in France and the women's whisky war in America is, thoughtfully considered, significant enough. Moreover, in the really serious conflicts which have taken place between processions of these enthusiasts and the roughs, neither the police nor the magistrates have shown much more capacity than they have displayed in dealing with the gangs in London. While the elements of disorder thus gather apace, the controlling power seems smitten with a sort of paralysis. Outbreaks of brutal savagery are thought worthy of far more leniency than a paltry theft by a starving woman. At the opposite pole to the Salvationists stand the Secularists, who are in their way quite as bigoted, while the most improper exclusion of their leader—I had nearly said their

* Those who have read Paul Louis Courier's brilliant "Pamphlet des Pamphlets" will require no further evidence of the influence which the pamphlet has had on civilized men. Those who have not will thank me for calling their attention to that famous little brochure.

pope, for Mr. Bradlaugh brooks no contradiction in his atheistic church, and has long since registered his right to infallibility—from the House of Commons has given them a legitimate grievance to agitate about.

As to the Church of England, she has stood so many shocks and schisms without a topple, that even the growing feeling against all state churches may take some time to upset her. Nevertheless, many of the rising young parsons themselves denounce the alliance which the ecclesiastical hierarchy has made with the mammon of unrighteousness, and proclaim aloud that whatever modern Christianity may find it convenient to allow, the religion of Christ means more or less complete communism. How many of these audacious young men will sink their principles in fat livings and preach general subservience to snoring laborers, I should be sorry to estimate. Enough that the ideas are abroad quite apart from individual backslidings. If religionists of any "stripe" wish to gain a permanent hold on the workers nowadays, they must combine the prospect of material improvement in this world with the promise of eternal happiness in the next. Otherwise the indifference of the mass will be too much for them, the singular success of the Salvationists notwithstanding.

But some may say this gloomy picture you paint for us is too much of one color: Is there no ray of light to irradiate the landscape? For the great mass of the working-people of England, under present social conditions, I say deliberately — none. On the contrary, the future seems to be for them darker than ever. For nowadays we are not as in 1848: the outlets are blocked; industrial crises when they come are universal; capitalism dominates the planet. Electricity, which is already clearly seen to be the great force of the future, and which bears the same relation to steam that steam did to the old horse-power — this illimitable engine of production is also going without heed or protest into the hands of the capitalist class. The anarchy consequent upon the existing system of production and exchange will be only intensified thereby; the "fringe of labor," the vagrants, the paupers, the residuum, in short, will be increased; the rich will become yet richer; the poor, poorer still. Even as I write the process is going on so plainly that he who runs may read the result written on the faces of the people. As capital rolls up into larger and yet larger masses, the small shop-keeper

is crushed out by the coöperative associations and the great magazine stores; huge corporations carry on business without the slightest regard for the human machines they employ. So the wheel revolves, grinding ever smaller the mass of mankind beneath.

Revolution! What have the workers to fear from revolution! Their life is one perpetual revolution. They are never sure of their home or their livelihood from one week to another. It is reckoned that the working classes of London all change their homes once in every two and a half years. And these homes, bear in mind, become dearer and worse as times go on. The very improvements in our great cities mean closer crowding and worse accommodation for those who really make the nation's wealth. What have they to fear from a general overturn? Nothing. And ere long they'll know this. "We lived in garrets forty years ago, we live in garrets now," said one of the most active of the old Chartists, who has lived and agitated to the present time. Nor must the fact be overlooked that the great machine industries, so far more developed here than in any other country, though they have been the means of keeping the people down, have also taught them how to combine.

Thus, then, discontent is growing with existing grievances; the same economical pressure which produces the discontent and grievances leads to combination; the present lot of the workers is so bad as a whole that they are beginning to think no change could be for the worse; ideas are gradually spreading among them which would lead them to strive for a complete overthrow; there is no authority above which commands their respect or seriously strives to improve their condition, and the very increase of man's power over nature serves but to render their case worse. The working classes of England must, in the near future, be either rulers or slaves; and they are slowly, very slowly, learning that the choice rests with them. A serious foreign war would very soon bring the whole to a head; for assuredly the mass of Englishmen would never again submit to heavy sacrifices, which would only benefit the governing classes.* Democracies fight, no doubt, but they fight for an idea or for their own hand. That revolutionary current also which is moving below the surface in all European

*As I write, the miserable Egyptian fighting brought upon us by irresolution and incapacity has begun, and Alexandria lies in ruins.

countries can scarcely fail this time to affect us. The impulse will probably come from without; but, unless we were already prepared, it would have little effect. When such ideas are spreading, it needs but a spark to fire the train.

If, however, the country is at present in a bad condition for the many, which all must admit, there is still not wanting evidence that the English people, under better arrangements, would soon rise to the level of the most glorious periods of our past history. Those very lads who now fall into the dangerous classes from sheer ignorance and bad management—there are, according to the police, at least three hundred thousand such in London alone—form, if taken early and thoroughly fed and trained, the flower of our navy. The race is really as capable as ever. In America, in Australia, all the world over, the Anglo-Saxon blood is still second to none. It is high time, then, that the great body of Englishmen should take up their heritage, that they should make common cause with their Irish brethren, as well in England as in Ireland, in one continuous effort to free the workers of both peoples from class domination and class greed. There is enough and to spare for all. Let, then, the men and the women who make the wealth of these islands bid those bunglers who trade upon their welfare stand back; let them trust to themselves alone to hand on a nobler industrial England to their children, sinking all petty jealousies, race hatreds, and personal selfishness in the endeavor to secure health, home comfort, and true freedom for the millions who now have neither happiness nor hope. Then, indeed, that very concentration of population which, under our present system of unrestricted competition, results in squalor, degradation, and misery, will be our strength, our safety, and our greatest resource. Then, indeed, England may hold out to all nations an example of social reorganization, which may yet give her an ungrudged supremacy among the peoples of the world. Such an England I for one see before us in the future: to bring about such a reorganization, I, for one, will never cease to strive.

H. M. HYNDMAN.

THE MORALLY OBJECTIONABLE IN LITERATURE.

THE theory that literature is simply an expression of human experience, and changes form with the character of the ages in which men give voice to their thoughts, has an important bearing on our judgment of literature itself. The theory, as apprehended by its most prominent teachers, is thought to exclude the action of a divine mind on one side, and of an infernal mind on the other. Even genius, as implying exception to scientific rules, is shut out. M. Taine, for example, tries to reduce Shakespeare within the limits of his time. No eternal men, no universal literatures are allowed. Bibles, being classified with human productions, are forced into the framework of contemporaneous history, their summits being pared off and the soil about them raised in order to create a plain on which cattle may graze. But, without pushing the theory to extremes, it is easy to see that in its simplest, its least objectionable statement, it must modify deeply our estimate of books. No absolute standard of moral or intellectual opinion can on any such theory be maintained. Like painting, sculpture and music, literature will take the color of its epoch, will bear the impression of its age. Goodness and badness are relative terms. Classical literature—by which may be understood literature of such perfection in form and such sober maturity of substance as to command universal admiration—may be left out of account in discussions like the present. Books that reflect the period in which they were written, and no other, are here in question. Of these it may be said that the rules of morality which the period sets up must judge the mental product.

From this it follows that works that are obnoxious to one age, or class of people, may not be obnoxious to another. And books on which moralists pass severe judgment may be innocent of evil intent, and, in their generation, harmless. In the last cent-

ury "Tom Jones" was, we can easily believe, regarded as chaste. The novels of Mrs. Aphra Behn, which no decent man of this day can read, lay openly on ladies' tables, and were popular with the fashionable public of their day. The most objectionable works of Swift, Sterne, Rabelais, did not offend their contemporaries as they do us. The worst productions of George Sand did not disgust her admirers in Paris. The much-maligned French novels meant no mischief, and in the original language did comparatively little, however objectionable they may be in translation, among English or Americans. It is not quite fair to thunder the categorical imperative against volumes like the "Decameron" or the "Heptameron," though we might seriously oppose their reproduction or republication. Even in modern Florence or Paris their influence would be pernicious. The era of Boccaccio is past. The reign of the Queen of Navarre is over. Virtue, both private and public, is changed. The books throw light on the state of society they grew out of, and are, therefore, historically interesting; but, otherwise considered, they are of little account.

For the same reason, books reflecting one phase of human life, like Emile Zola's for example, cannot commend themselves to people who live in another mental atmosphere. They are insect growths, infesting certain unwholesome spots, and naturally confined there. Nuisances, certainly, but local nuisances; useful, too, in their way; pestiferous when out of place. A new drain, an improved system of sewerage abolishes them. Their day is short, though to the impatient, the inconsiderate, the swift of judgment, it may not seem to be. To avoid them is easy. One has only to change one's place, and they no longer molest. Distance in space is equivalent to distance in time. It is always possible to get into another world, though living from day to day among men. The presence of these malignant productions is similar in effect to the appearance of a swarm of mosquitoes on a sea-side piazza, or of a tramp at the door of a secluded farm-house. The existence of such pests may be accounted for, but their advent is never blessed. Creatures of actual circumstances, there are circumstances to which they should be strangers. The provoking persistency of such works, and the facility of their distribution by the force of the wind, render them obnoxious; but a change of climate causes them to disappear. In their native region they are comparatively harm-

less, and may be casually and locally beneficial. Besides this, it should be remembered that the realm of their vitality is steadily narrowing; the range of their influence is limited by the level of civilization; as the moral atmosphere becomes pure, they are pushed farther and farther away from the sympathies of men and women, and in due time they will be regarded as curiosities, as indeed the most offensive of them are now. The "Decameron" keeps its old place by virtue of a merited reputation for elegance of style and construction, but innumerable volumes of inferior fame have withdrawn from human gaze into the dim, unfrequented alcoves of great libraries, where none but scholars find them. The conditions of their existence have disappeared.

There is a distinction, too, worth noting, between works that are demoralizing and works that are simply coarse. The former are malignant, the latter are, at the worst, disgusting. The first act like poison, the last bruise like a blow, which hurts, but injures no vital part, and leaves the system unscathed. Books of the infectious, deadly class, which suppress conscience and encourage vice, are fortunately few,—at all events, in our generation. They are not seen on center-tables, or found on the counters of bookstores. Private collections do not possess them. Their very names are forgotten, save by the curious, who look for them in foreign tongues—chiefly French. The others express that kind of realism which is found in all ages, and, however it may improve in form or relative proportion, does not materially alter in substance. To the first class are sometimes ascribed such productions as "Wilhelm Meister," "The Decameron," "The Heptameron." To the second belong such novels as "Tom Jones," such poems as the "Leaves of Grass," books objectionable certainly, but not pestiferous, because vice is not their aim. That a story like "Wilhelm Meister" should be placed in such a category shows how subtle is the definition, for little worse than moral indifference can be laid to the charge of that famous novel,—a grave charge, it is felt, but very different from an accusation of positive lasciviousness. The volumes would not suit the prurient inclination of a sensualist. Still, the distinction which has been drawn between books that corrupt and books that merely disgust, is obvious. It is essential, too. Books that corrupt are, as a rule, fascinating, not disgusting. They attract by a seductive style, a subtle sentimentalism, a charm of association, a dangerous appeal to the fancy, an immoral

assumption of the supremacy of desire over conscience. They drug the soul and stimulate the senses. Their charm consists in their power to instill a sense of delight into the pleasures of indulgence, to make the nobler being forget its nobleness, to induce the rational being to forswear reason. They are, through and through, unbelieving. Their spirit is mocking. They take the vulgar realism of nature, clothe it with allurement, and commend it to men and women in their moods of idle acquiescence, designing to practice on them the transformation of Circe,—to turn them into swine. They aim to dehumanize. They live in a sea of deliciousness, and die when brought upon the dry land of thought. The young, the heedless, the inexperienced, the sensual, are caught in this snare before the peril is suspected. Their thoughts are not permitted to wander into regions of self-recollection or self-reproach. Vice is made enticing, virtue is ridiculed, despised, caricatured. The sound of laughter ripples along the pages. The reader has it incessantly in his ears, is never allowed to lapse into respect for truth, honor, purity, dignity, or faith. No effort is spared which may render the spell complete.

Books that are only incidentally coarse have a less subtle and less injurious influence. They are not contagious or infectious. They may hurt, but they do not poison. They are not wholesome, but they are not deadly. They speak of disgusting things, by the way, speak cordially of them; but they do not describe them in false colors, or invest them with a deceitful charm, or dwell on them with passionate delight, or magnify their proportions, or confine the reader's thoughts within their atmosphere. They seem to say: "Look and pass on." Their authors paint all they see, paint it vividly, with such art as they possess; but they do not intimate that the beauty of the lily is in the mud of the pond. It is an article of their creed that whatever exists in nature deserves to be recognized and copied. It is there, and should therefore be produced, but they are not satisfied,—at least Fielding and Whitman are not satisfied,—with depicting leaves of grass. The later preraphaelites are not content with the rudiments of realism, but, beginning at the bottom, aspire to perfection of drawing and color.

And this suggests another important distinction. The demoralizing influence of literature, as of art, depends much on the intention of the author. If his ultimate aim is lofty, it car-

ries the mind of the reader beyond the range of indelicate association. And if his force of conviction, his earnestness of purpose, be strong, the effect of the indecency is trifling. The coarseness ceases to be a taint, and is scarcely more than a blemish, to be regretted, but to be pardoned. This is the case with Goethe's "Wilhelm Meister." Certainly no one would read it for the sake of its impurity, which occupies an insignificant place in the story, and is quite unessential to its plot. It might be omitted entirely without injury to the narrative. In fact, no more of it is introduced than is necessary to illustrate the author's theory of culture. The translator of the work,—Thomas Carlyle,—a man of austere morals, incorruptible in thought and feeling, persevered in the task of making an English version because he was interested in the writer's evident ambition. "In many points, both literary and moral," he says, in the preface of the first edition, "I could have wished devoutly that he had not written as he has done; but to alter anything was not in my commission. The literary and moral persuasions of a man like Goethe are objects of a rational curiosity, and the duty of a translator is simple and distinct." · · · "Written in its author's forty-fifth year, embracing hints or disquisitions on almost every point of life and literature, it affords us a more distinct view of his matured genius, his manner of thought, and favorite subjects, than any of his other works." The ordinary novel reader, in search of a sensation, will soon lay the book down in disgust, pronouncing it hopelessly dull. There is little movement in it; the incidents are trifling; the characters are life-like, and, for the most part, cool and quiet. But the criticism is of the highest quality of excellence; the sagacity is keen; the philosophy is calm; the thought is profound; and the tone of morality, the tendency, aim, spirit, of the whole performance cannot be characterized as other than intellectual. Carlyle's admiration of Goethe was sincere, and is of itself a guarantee of the great German's real elevation of mind. Even the "Werther" claims the truculent Englishman's honest praise for its "strength and sarcastic emphasis, intermingled with touches of powerful thought, glimpses of a philosophy deep as it is bitter." Surely it is less than fair to call such a work dangerous to ordinary morals. Would sensualists but try to read it!

Nay, we are not afraid to speak, in this connection, of Boccaccio's "Decameron,"—that celebrated book, the very name of

which implies indecency. The description, in the beginning, of the plague in Florence is a marvel of concise, nervous writing. The character of "the patient Griselda" might redeem any volume from the charge of purposed impurity. So far from using his art to heighten the effect of lascivious tales, the writer has toned down the coloring of his original materials. His Italian is a model of grace,—so distinguished for elegance in the choice of words and for charm in the arrangement of sentences that the composer earned from his countrymen the title, "Father of Italian Prose." All this, of course, is lost in translation. The language is unappreciated; the beauty of the foreign characterization is missed; the account of the pestilence is uninteresting; the attraction of the lovely Griselda is unfelt. The uncleanness alone is relished. Such volumes should be left as they were written.

In this respect Walt Whitman's unsavory "Leaves of Grass" occupies a place in literature vastly above Oscar Wilde's so-called "poems" or the earliest productions of Swinburne. There is a vulgar coarseness in some of Whitman's pieces, but the aim of the volume is high; so high, that it drew encomium from R. W. Emerson, who had no sympathy whatever with dirt. A few of the poems are steeped in moral enthusiasm. A sentiment of human brotherhood pervades them. The faith in progress is glowing and constant. The trust in Providence is unwavering. Soul is everywhere sovereign over sense, at least in the author's design. Love for man may be excessive, but it is genuine. Visions of the future may be too dazzling for reason, but they grow out of earnest conviction. The man is a believer,—an absorbed, an intense one,—as the intelligent reader must perceive. The author is not a prophet of obscenity; not a teacher of sensuality under the name of "æstheticism." He sings a pæan of man in all his relations; and, in his own judgment, his song would be incomplete if it did not voice all human desires.

In saying this, we would not be understood as recommending such books to ordinary readers, or to readers of any class whatsoever. They are in their way and measure injurious; but they are not demoralizing, corrupting, poisonous. Coarseness is not praiseworthy or useful. In fact, we disbelieve heartily in the theory of art of which Mr. Whitman is a disciple. A remarkable sermon by Rev. James Martineau, entitled "The Realm of Silence," taught us many years ago that some things were too

low to be spoken of. If we must perform them, we do not mention them in speech. If we discuss them, we do it scientifically or professionally. For the rest, they are avoided in conversation; and, as far as possible, in thought. They serve their ends, and are forgotten. They are remembered, in order to be pushed aside. They belong to the animal part of our nature, not to our rational being, which feels affronted by their bare suggestion. No doubt, much of the coarseness referred to may be explained as the result of a natural reaction from the overstrained Puritanism of an ascetic age. But such reaction has gone about far enough for the ends of reason or morality. There is really no occasion to carry it farther than it has reached. Realism, at present, is in danger of running into disreputable exaggeration. It has vindicated itself against the pretensions of an excessive idealism, so that there is no chance of a return to old-time ascetism. To be outspoken, frank, undisguised of speech, is fashionable. Now, it is incumbent on all the friends of purity in literature to insist on beauty, as well as truth; to leave things which are, or should be, behind, and press forward toward things that are before; to prove the possibility of uniting imagination with fact. The present demand is for cultivation, elegance, the development of taste, the establishment of practical ideas.

The simple truth is that, as they improve in goodness, men and women put their grosser instincts beneath their feet. Healthy people are not sensual. However robust, however "virile" they may be, they are clean in thought as well as in conduct. One has only to consider the inevitable tendency of high-minded people to shun allusion to sensual themes, in order to become fully persuaded of the difference between what is above and what is below. We are not thinking of the ascetics by virtue of their creed; the saints by profession, who dread and detest nature because it is natural,—who, like Plotinus, are ashamed of their bodies,—who, like Borromeo, walk with downcast eyes, lest by chance they should see a woman; men who read no book save their Bible, and read that on their knees; who are blind to loveliness of form and deaf to music, and save themselves the trouble of making distinctions by following broad, literal, formal generalizations of opinion. Such men are in our days very few, and are not held in honor. We are thinking of wholesome, active, vigorous men,—scholars, writers, students of pagan learning,—daring in speculation, bold in intellectual movement; robust minds,

who are nevertheless absorbed in literary pursuits; enthusiasts for ideas, reformers, regenerators, devotees of thought, conscious of a high calling as instructed, responsible men of position and character. Such, without exception, avoid sensuality as by an instinct, as a man spurns the earth when springing into the air.

In the museum at Berlin there is a small statue of marble, frequently reduced in bronze. It is the lovely figure of a youth in an attitude of devotion,—upright, firm on its feet, with head erect, countenance turned heavenward, arms extended. It is nude, of course, but the nudity is incidental and inconspicuous. Because it was naked, a scrupulous lady would not have it in sight, but put the image away on an upper shelf in a dark closet; yet a good, pure-minded, conscientious clergyman kept it for years on his library-table as a charming incentive to aspiration. The nakedness did not offend him; he did not see it: his eye passed upward to the glowing face and the outstretched hands. To him the figure suggested only praise. It was a visible symbol of adoration, leading his thoughts away from groveling things. Thus nature and grace were combined.

Among the borrowed platitudes of the latest apostle of æstheticism in the United States was the somewhat stale doctrine that art has nothing to do with morals. In a sense the dictum may be accepted as true. With morals of any local or partial school, with the prejudices or antipathies of a special period, the dogmas of a narrow sect, genuine art has no concern. It is infinite and eternal. Its genius is expansive, spiritual, free. Its air is filled with light. It is a winged spirit, ever soaring upward into the sky, obeying its own law of aspiration. But it is far enough from being emancipated from moral restraint. On the contrary, it is most moral because least constrained. It seeks by virtue of its freedom a perfect moral ideal, the limits whereof are internal, yet none the less fixed.

The quest of art is beauty, not truth, except in the form of beauty. But beauty lies in levels, one above the other, and the effort to rise from lower to higher involves the endeavor to ascend from sensual to sensuous, from sensuous to intellectual and imaginative, until the highest poetic line is reached. There is an infernal love, and there is a celestial love; but the passage from the former to the latter resembles the voyage of a navigator round the globe. Leaving his port he steers right on, taking his bearings from the sun; but after some weeks of sailing the con-

stellations change; he is in strange seas; his course has never deviated, but he lands at the antipodes, exactly opposite the point from which he started. The difference of degree has become a difference in kind. The few miles more have brought him to a new world, with scenery and coloring of its own. So art begins with sense, but ends with soul. If "æstheticism," as its etymology imports, is confined to beauty of the senses, to objects which are seen and touched, it certainly has no concern with intellectual things, and may snap its fingers at moral feeling. But if it is confined to objects of sensation, its message is insignificant, of no interest to thoughtful men, and its prophets cannot complain if they are despised. The laws of literature are the laws of art. Literature is a form of art. The best literature studies artistic expression, and though it may bear traces of the earth in which it grew, as is the case with Shakespeare, Goethe, Dante, the art effectually triumphs, making of the earthiness a casual spot not worth considering; to take the blots alone into account, would be gross injustice. Such a process would put Shakespeare on the shelf, and remand the Bible to the list of books prohibited. Has mind an interest in the work? That is the question. It certainly has none in pieces like "Charmides," or in volumes like "Laus Veneris." In David and Isaiah it has a deathless concern; to Shelley and Keats it is by no means indifferent; in "Leaves of Grass" it has a stake. But in "Charmides" and "Laus Veneris"! People of somewhat more than ordinary virtue find it a task beyond their strength to keep reason supreme above passion, and it is the office of literature to help them do it. When literature declines the service, it not only is unfaithful to its calling, but makes itself a pander to vice. Swift knew this, and Rabelais, and Balzac; and, in our day, Rossetti, Swinburne, Whitman. We need not mention Tennyson, the master of musical thoughts, or Browning, the great analyst of character. The eminent writers are interested in the problems of humanity. Many books have no higher purpose than to amuse; but these aim at entertainment, which is at least innocent, though it may not be elevating. No essayist, novelist, poet of America, can be accused of immoral influence.

There is another saying, of the nature of commonplace, that occurs in this connection: "To the pure all things are pure." The company it keeps throws suspicion on it; for it comes familiarly to the lips of the unclean who cloak under the prov-

erb their own depravity. "To the pure all things are pure." Yes, but who are the pure? Who are so impeccable that they can touch pitch and not be defiled, or can walk in muddy places without soiling their white silk stockings? To be pure is to be more than spotless; it is to be out of the reach of spot. Can any man say that of himself? Unless he can, the awful word temptation has meaning for him, and the tempter is accursed, whether he appears in the guise of wine, woman, or song. "All things are pure." Are they? In whose sight? Possibly in the eyes of the disembodied Wisdom, but in no others. Whoever undertakes to study the processes of nature will soon, without going off his daily path, come upon disgusts, offenses, shames, so foul, so unseemly as to compel him to turn away with loathing. He is forced to apologize and defend. He makes the best of a bad business. He dares not call it evil; he cannot call it good. His utmost faith is required to justify what he sees and practices. He veils his vision and turns away. The bare existence of things which nobody ventures to deny is the standing argument for atheism. To drag them into the light, to surround them with false attractions, to make them racy and relishing to a corrupt taste, is little less than infamous; and this the maker of bad books does more fatally than anybody else.

It is not easy to escape the conclusion that our modern paganism,—the prevalent worship of nature, has degrading tendencies which show themselves in every form of art. The admiration for natural appearances is less coarse than it used to be; it is more subtle and refined, but it may not, on that account, be less dangerous. Corruption being associated with grace, is doubly corrupting. Many an artist, no doubt, draws from nature the lines of beauty which glorify his canvas, and because these fine lines come from nature, it is assumed that everything in nature is fine; that one cannot borrow too freely from nature. That, in a word, to be natural is to be beautiful. Hence, a sentimental, æsthetic materialism, the more seductive because refined, and associated with a certain elegance of manner. In literature this influence is even more dangerous than in art, for the reason that language is a more delicate instrument than pigments, richer in material, nicer in discrimination, more fruitful in suggestion. Compare Fielding with Millais; compare Dickens with Hogarth; "Henry Esmond" with any of the pictures by Alma Tadema; Rossetti the poet with Rossetti the

artist. Yet no painter ventures to paint an immodest work. The subject may be uninteresting, external, meretricious, sentimental, foolish; but it is never indecent. Shall literature be less ennobling than painting or sculpture? On looking at the pictures of Fra Angelico da Fiesole, and learning his aversion to the nude figure, one is reminded of the effort required to escape the peril of sensuality. The corruption of the age rendered such prudery necessary for saintly souls. It is necessary no longer. But care must still be taken to keep soul uppermost, and the real artists, whether with pen or brush, are mindful to do it.

Of this inclination to nature-worship Goethe may be called the chief inaugurator, though without responsibility for its abuse by meaner disciples. The "Wilhelm Meister" illustrates its artistic aspects better than any work that occurs to us. It does not contain a coarse word or an obscene allusion. Its interest in art—literary, dramatic, pictorial, musical—is absorbing; its discussions are serious, its criticisms profound. But neglect of the moral judgment is absolute; ethical distinctions are calmly set aside; men and women whose conduct is, to call it by a gentle name, reprehensible, are praised for their elevation of character; religion is spoken of with respect as the peculiarity of a certain class of minds; its existence is acknowledged; its forms are described with precision; but it is not especially commended above any other idiosyncrasy; the authority of conscience is never admitted; for the improvement of mankind, culture of taste is assumed as quite sufficient, nor is any influence allowed for, except intellectual accomplishment. That Thomas Carlyle should have endured the toil of translating such a book into English is a marvel to be explained by his literary discernment, his admiration for intellectual performance, his disgust at religious assumption, ignorance, and pretense, and his high appreciation of the author's great service to mankind. Emerson's vision, unclouded, pure, serene, turned away from the contemplation of scenes that a sensitive conscience could not approve. Were "Wilhelm Meister" less admirable as a study of character, more engaging as a work of fiction, more heated or exaggerated in manner, it would be one of the most dangerous works ever published. The quiet assumption that culture is the main thing to be acquired, and that all experiences that may advance culture are innocent, is fatal to morality, and might be

wholly destructive. As it is, the work will attract none but serene minds, which can take the author at his best. It is to be hoped that such minds are not few, even in this generation of nature-worshipers.

The passion of humanity,—very different from the "enthusiasm of humanity" of which so much has been said,—that adores instinct, exalts every human function, and seems to feel a pleasure in contemplating the animal side of human nature, is fraught with similar danger to simple souls. As a revulsion from the severe spiritualism of an elder school, it is intelligible and excusable. The sincere faith of its earliest apostles, whose Christian conviction prevailed over their boast of "muscularity," saved them from its logical consequences. But the untaught or mistaught, that is, the great majority of men and women, stood in imminent peril from the tendency to bestiality which it implied. Where fine emotion is unknown, where patriotic enthusiasm, zeal for progress, the glow of charity, belief in the possibilities of rational being, are wanting, the relish for color and form easily becomes excessive, and sensuality is all but inevitable. Then every kind of expression becomes tainted with impurity; and works, the authors of which were innocent of evil purpose, minister to pollution. In all modern literature this predisposition is apparent. Remarkable talent sees the rock, and avoids it. Moderate skill is incessantly exposed to shipwreck. The unwary are dashed on the savage shore, carrying their crews with them to destruction. We are wise enough, we hope, to acquit Mr. Matthew Arnold of all responsibility for the writers who mistake the drift of his speculations; but there are such writers, and, in our judgment, their mistake is due to the tendency in which they as well as he are caught. The writer of the opera "Parsifal" associates the Eucharist with lascivious dances, and some years ago we saw a fashion plate illustrating the fall of a young lady's skirt as she knelt to receive the sacrament. These represent extreme cases, but the tendency which produces them is shown in other ways less offensive, though perhaps not less significant to discerning eyes.

In the view of morality all literature is objectionable that injures the highest interests of society. The gravity of the objection must depend on the seriousness of the injury. The only certain deliverance lies in the consecration of literature to the service of purity, intelligence, and taste. Writers like

Emerson, Whittier, Lowell, Longfellow, Cranch, Stedman, Aldrich, Howells, Henry James, Jr., not to mention other examples, are so intent on the concerns of the intellectual nature that they appear to be unconscious of what may be called lower wants. To such as these the highest places must be awarded. Some defects may be pardoned to genius, but, in the end, deduction will and must be made for them, and to be stainless will be an immortal merit, even when other immortality fails. Really pure authors dedicate their talents to ideas, and make their readers feel it. If the age they live in leaves its soil upon them, the spot is allowed for and disregarded. They never go out of their way to minister to a depraved disposition, and when they can they step aside from the mire that lies in their path. No writer belongs to all epochs, but every earnest writer stimulates whatever is best in his own, trusting to serve humanity in his generation, and not to excite the passion of the hour.

It is too late, at the end of an article, to discuss the means by which moral objections to literature should make themselves acknowledged. The subject is important, but it is large and delicate. A single word only can be ventured in this connection to complete what has been said. There can be little doubt that the moral sense of the community will, and should, set the seal of its condemnation upon evils in literary or pictorial art which are offensive to its feeling. This is done as instinctively and inevitably as nuisances which are disagreeable to the senses are suppressed by sanitary regulations. But several points merit consideration. In the first place, the individual conscience must not be allowed to speak in the name of the general moral sense; nor must the claim of any sect, clique, party, or association to speak for the community or to use the community's machinery, be admitted. In the next place, there must be good reason to believe that the measures adopted will advance the moral condition of society. Such a result might ensue from the presence of a moral sense decidedly above the level of the community, which would be powerless to enforce edicts that would incite and exasperate passion. A change of atmosphere will often effect what no violent exertion of sun or wind can bring about. In the same way a sudden, vehement endeavor, sincere but misplaced, may put back the cause it has at heart. A few years ago Whitman's "Leaves of Grass" was sold furtively to the few who wished for

it, its quality not entitling it to a large popular market. Now thousands ask for it who would never have heard of it, except for the clamor of its persecutors. And this result is due in the main to passages in the volume of which the writer is probably least proud. If left to the natural laws of trade, the book would have found its own set of readers, and a more intelligent, discerning class than will, under existing circumstances, approach it. Denunciation has attracted notice to the objectionable features of the volume, has brought those features into the foreground, and has gained for it an evil name and evil companionship, neither of which it fairly deserves. A false issue is raised, vicious appetite is stimulated, and the moral atmosphere is disturbed, not quickened. The regenerator, who purifies the air that all people breathe, is more influential in promoting the health of the community than the reformer who attacks particular diseases. The reformer has his place, but he holds it subject to the condition that the disease he attacks endangers the health of the whole social system; that it is infectious in character, a sign of inward corruption, which will gain ground if not checked. When the complaint affects no vital part, implies no taint in the blood, and is plainly diminishing in extent as well as in degree, it is safe to let it alone.

That the worship of nature to an indefinite degree prevails in this country, can hardly be disputed; that it is on the increase is possible; that, in its extreme forms, it is alarming and degrading, may be granted. But it is cause for congratulation that a growing spirit of refinement keeps men and women occupied with its worthiest aspects; that its dangerous tendencies are concealed; and that a sharp revulsion will surely follow the discovery of the pit toward which it leads. Books, which a hundred years ago were unblushingly read, would find no publisher to-day. Degrading literature is confined to degraded people who can scarcely read at all, and who do not care to read books addressed to hearts or brains. Boccaccio's "Decameron" was published first in 1353, more than five hundred years ago. Mrs. Aphra Behn lived and wrote her scandalous dramas and tales during the Stuart dynasty in England, about 1680. Fielding wrote his "Tom Jones" before the middle of the eighteenth century. Half a hundred years later, in 1795, the first edition of "Wilhelm Meister" saw the light. Our present peril in America does not, in the writer's humble judgment, spring from the bluff coarseness

which, after all, occupies but a small space, is fairly counterbalanced by an equally robust moral faculty, and is entirely subordinated to an intellectual purpose, so much as from a snaky sentimentalism which obliterates ethical distinctions, is infatuated with what it calls "art," "culture," "æstheticism," slides easily into indulgence, and trusts to "refinement" for the progress of humanity. This is the actual danger,—how grave a danger is yet to be learned. At any rate, the remedy for it lies in a change of air, another flow of the mental tide, rather than in the employment of specific drugs, be they ever so wholesome in themselves. Thackeray says, speaking of Henry Fielding, "As a picture of manners, the novel of 'Tom Jones' is indeed exquisite; as a work of construction, quite a wonder; the by-play of wisdom, the power of observation, the multiplied felicitous terms and thoughts, the varied character of the great comic epic, keep the reader in a perpetual admiration and curiosity. But against Mr. Thomas Jones himself we have a right to put in a protest, and quarrel with the esteem the author evidently has for that character. Charles Lamb says finely of Jones that a single hearty laugh from him 'clears the air'—but then it is in a certain state of the atmosphere. It might clear the air when such personages as Blifil or Lady Bellaston poison it. But I fear very much that (except until the very last scene of the story), when Mr. Jones enters Sophia's drawing-room, the pure air there is rather tainted with the young gentleman's tobacco-pipe and punch. I can't say that I think Mr. Jones a virtuous character; I can't say but that I think Fielding's evident liking and admiration for Mr. Jones shows that the great humorist's moral sense was blunted by his life, and that here, in art and ethics, there is a great error. . . . I protest against Mr. Thomas Jones holding any such (heroic) rank at all. I protest even against his being considered a more than ordinary young fellow, ruddy-cheeked, broad-shouldered, and fond of wine and pleasure. He would not rob a church, but that is all; and a pretty long argument may be debated, as to which of these old types,—the spendthrift, the hypocrite, Jones and Blifil, Charles and Joseph Surface,—is the worst member of society and the most deserving of censure."

How the argument, if debated by Thackeray, would have concluded, one is not left to guess. Neither is it in the least doubtful that, in his opinion, society would be considerably cleaner

without either of them. To us, it seems singular that there should have been a time when William Cowper could read "Jonathan Wild" aloud to ladies, all devout, sincerely religious people. They were not shocked by the grossness. By our fine moral analysis, our subtle sentimentality, our high indifference to old-fashioned prejudices, they might have been. To them, broad moral distinctions were not lumpish, nor was conscience a crude conception. They did not refine the ethical sentiments away, but took them for granted, with sober, if undiscriminating, reverence. Have we improved so much? It is a nice question. Of one thing we are certain, that a decline of principle is worse than a sudden blow, which perhaps arouses, at least does not kill, manhood. If the rough religiosity of Fielding has been succeeded by an intelligent humanity, an earnest hope of progress, a cordial veneration for providential law, our age has gone onward. But, in some shape, these great qualities must make themselves felt.

O. B. FROTHINGHAM.

RECENT DISCOVERIES AT TROY.

Not being able fully to understand the architecture of the first three prehistoric cities of Troy, I resolved upon continuing the excavations here for five months more. My excavations of 1878 and 1879 having enriched the Imperial Museum at Constantinople, it was not difficult for me to obtain a new *firman* on more liberal terms, particularly as I solicited it through the now all-powerful German Embassy at Constantinople. Whilst in my former works here I had been limited to the hill of Hissarlik, I was now permitted to make excavations wherever I might wish in the Troad: between Propontis, the Gulf of Adramyttium, the Hellespont, and the Ida Mountains, under the condition of giving two-thirds of the finds to the Imperial Museum if I excavate on fields belonging to the Government, or only one-third if I explore lands belonging to private parties. In this latter case, I am held to obtain the consent of the proprietors. I therefore returned to Troy on the 28th of February, and having kept here, ever since May, 1879, a guardian to watch my little wooden village, I found all my barracks in good preservation. The country being very unsafe, the Governor of the Dardanelles gave me, at my request, a safeguard of eleven gendarmes, whose wages are thirty pounds sterling monthly. These men are highly useful to me, for their presence inspires awe in the brigands, and keeps them at a respectful distance. I therefore use them as guardians of my houses, and as escort every morning in riding to the sea-bath in the Hellespont. Besides, I place one of them at every spot where I excavate, in order to force my laborers to be honest. I have engaged three overseers, of whom one is a Frenchman, the two others Spartans; both have served in the same capacity in the excavations conducted under the auspices of the German Empire in Olympia. As both are called Gregorios, I have changed the name of one of them, who is a

tall and powerful man, into Laomedon, and that of the other into Ilus. I have besides secured, for the whole time of the excavations, the services of two of the most eminent architects of Europe, namely, of Dr. Joseph Höfler, who has gained the great prize in the Academy of Vienna, and of Dr. William Dörpfeld, who has carried the great prize in the Academy of Berlin, and has been for five years at the head of the technical works in the excavations of the German Empire at Olympia. As purser, I have again Nicolaos Giannaki, who has served in the same capacity since March, 1870.

I recommenced the excavations here on the 1st of March, with one hundred and fifty workmen, which has ever since remained the average number of my laborers. I employ a large number of ox-teams and horse-carts. The daily wages of the workmen, which were at first nine piasters, or two francs, have gradually increased, and are now eleven to twelve piasters, equal to from two francs forty-four centimes to two francs sixty-seven centimes. The horse and oxen carts are paid one piaster—twenty-two centimes for each load. Only the first three days in March we had south wind; afterward we had until the end of April, and therefore for fifty-eight days uninterruptedly, a strong north wind, degenerating at least four times weekly into a severe storm, which blew the dust into our eyes, blinded us, and interfered with our work. At the same time it was very cold, the thermometer often descending below thirty-two degrees Fahr. at night. The first flocks of cranes passed here on the 14th of March; the first storks arrived on the 17th of March. The plain of Troy is much liked by this latter bird, and as many as twelve stork-nests are sometimes seen on the terrace of a single village-house. But, strange to say, the storks build their nests only on the houses of Turks, or on trees, never on the houses of the Christians; for, while the former have a sort of veneration for the stork, the latter call it the sacred bird of the Turks, and do not suffer it to build nests on their houses.

One of our first works was to bring to light all the foundations of Hellenic or Roman edifices in the still unexcavated part of Hissarlik, and to gather the sculptured blocks belonging to them and to others whose foundations cannot any more be identified. Among the latter, a small Doric temple of porous stone deserves our particular attention, as it seems to be identical with the small and insignificant temple of Pallas Athena,

which, according to Strabo (xiii., p. 593), Alexander the Great saw here, and probably also with the temple of that goddess to which, according to Herodotus (vii., 43), Xerxes ascended. The oldest of the later edifices is a very large Doric temple of marble, to which belongs the beautiful metope representing Phœbus Apollo with the quadriga, which I discovered here ten years ago. This temple is no doubt identical with that which, according to Strabo (xiii., p. 593), was built here by Lysimachus. As it is by far the largest temple here, I agree with my architects that it must needs be the sanctuary of Pallas Athena, the tutelary deity of Ilium. I further mention a Doric portico of marble of the Roman period, of which some steps are still *in situ;* also two smaller marble edifices of Doric order, and a very large and beautiful marble gate of the Acropolis, in which both the Ionian and the Corinthian order were represented. Sculptured blocks of all these edifices may be found in rich abundance in the neighboring old Turkish cemeteries of Kum Kioi and Halil Kioi, where they have been put up as tombstones.

Much larger than any of these buildings was the gigantic theater, which is cut out in the rock immediately to the east of the Acropolis, and overlooks the Hellespont; it could contain upward of twenty thousand spectators.

In the stage-building, of which the substructions are well preserved, I found thousands of fragments of marble columns of Corinthian, Doric, and Ionian order, as well as very large masses of splinters of marble statues, and a large kiln, in which all the statues appear to have been burnt to chalk. A head, as well as many hands and feet of statues; a relief-medallion, representing the she-wolf suckling Romulus and Remus, and a fountain, ornamented with a gorgon's head, testify to the magnificence of this theater, which belongs to the Roman time, and may have been built by Sylla or Julius Cæsar.

In the numerous trenches I dug and shafts I sunk in the lower city to the east, south, and west of the Acropolis, I struck the substructions of many large edifices of the Macedonian and Roman time. One of them, which is decorated with a fine pavement of marble slabs and a long row of granite columns with Corinthian capitals, may probably be the Forum. In many houses we found mosaic floors, among which are some with excellent designs. In all my trenches and shafts in the lower city, to the south and west of the Acropolis, I found below the Hellenic

and Roman edifices large masses of broken pottery of the oldest prehistoric settlements. In a shaft sunk immediately south of the Acropolis, I found a well-preserved relief sculpture of the Roman time, representing Hercules, and another headless figure.

Our most remarkable discoveries were in the three lowest prehistoric cities on the Acropolis hill, Hissarlik proper, for my excellent architects proved to me beyond any doubt that the first settlers built here only one or two large edifices, which they surrounded with a huge wall, two meters thick, composed of larger and smaller stones joined with clay, of which large ruins may be seen in my great northern trench. Parallel with the southern part of this wall, and only eight meters distant from it, is another wall, also two meters thick, of which only a portion remains. The length of this first settlement does not exceed forty-six meters, and its breadth can hardly have been greater. The architecture of the edifices is a great puzzle to us, for we have brought to light, at distances of three meters, five meters, 5 m. 30 c., and six meters from each other, five parallel interior walls, 0 m. 90 c. thick, which have no cross-walls, and therefore form long saloons; but we have only been able to excavate them for the breadth of my great northern trench, say for a distance of thirty meters. The masonry consists of small stones joined with earth; the clay coating has been preserved in several places.

We may presume with the greatest probability that this first settlement had a lower city, which extended on the plateau to the south and west; nay, the pottery I found there in the lowest stratum in my trenches and shafts, and which is identical with that in the lowest layer of *débris* on the Acropolis hill, can hardly leave a doubt in this respect.

This first settlement seems to have existed here for a long number of centuries, for its *débris* had the time to accumulate and to form a stratum having an average depth of 2 m. 50 c.

My excellent architects have also proved to me that the enormous layer of burnt ruins, three and four meters thick, which extends in a depth of from six to ten meters below the surface, and in which I, with Virchow and Burnouf, had seen the ruins of only one settlement, contains the ruins of two perfectly distinct cities, built of bricks, which had succeeded each other here, and which had both perished in fearful catastrophes; further, that to the lowest and oldest of these two burnt settlements belong all the substructions of large stones, one to three meters

deep, which I had erroneously held to belong to a distinct city. By far the most remarkable buildings of this first burnt or second city in succession from the virgin soil, are two large edifices, which are built parallel to each other, and only separated by a corridor 0 m. 50 c. broad. This circumstance leads us to think that both are temples, for if they were dwelling-houses they would have one common wall between them, a thing never found yet in ancient temples.

To the largest of the two edifices belong the blocks of bricks marked H on Plan III. in my work "Ilios," in which Mr. Burnouf had erroneously seen the remains of the city wall. This building has foundations of large blocks three meters deep, whilst those of the adjoining building consist merely of two layers of smaller stones. There is, besides, a great difference in the proportions of the two edifices: that with the foundations of large blocks, which we shall call temple A, being thirty meters long, thirteen meters broad, having walls 1 m. 45 c. thick, whilst the other building with the weak foundations, which we shall call temple B, is only twenty meters long, seven meters broad, with walls only 1 m. 20 c. thick. There is, besides, a difference in the masonry, the walls of temple A having very narrow joints, the clay of which is baked in the same proportion as the bricks, whilst the walls of temple B have broad joints, the clay of which has been but slightly burnt. It is therefore evident that A and B were built at different epochs, and that A is older than B is proved by the fact that its east wall, which faces the narrow corridor 0 m. 50 c. broad, is covered with a coating of clay 0 m. 025 c. thick, whilst the opposite wall of B has no such coating. But still much more remarkable is the fact that this clay coating is merely baked, whereas the brick wall which it covers is in many places vitrified. This we can only explain if we admit that the brick wall was first baked and received afterward the clay coating, which was in its turn exposed to a great heat when the opposite wall was being baked. But the baking of whole brick walls, and not only of house walls, but of huge city walls, is a most extraordinary fact which had never been found yet, and which turns up for the first time in Troy divine. The baking was done by huge wood-piles heaped up and kindled simultaneously on both sides of the walls. To increase the incandescence, wooden beams, 0 m. 15 c. to 0 m. 20 c. in diameter, had been fixed horizontally all along the brick walls at intervals of about 0 m. 50 c., the one above the other. In some

rare cases the horizontal hollows in the walls produced by the burning of these beams were left open either intentionally or by inadvertence; but in general they were filled up with fresh clay and baked brick-matter, mixed with vitrified pieces of brick, probably with such as had fallen from the walls during the baking operation, for we find occasionally a potsherd in it. After the the walls had been baked, they received on either side the clay coating, which was perfectly smoothed, and gave to the temples and houses an elegant appearance. It is more than probable that after the clay coating had been put on, the walls were a second time submitted to the action of the fire,—for it is impossible to suppose that the clay coating could have become everywhere so equally baked in the fire of the great catastrophe. A second, but much slighter baking, is proved also by the circumstance that the coating of the inner walls of temple B is baked to a depth of 0 m. 08 c. below the clay floors,—because this can only be explained by the supposition that the floors were only made after the walls had received the coating and were exposed a second time to the action of the fire. The great irregularity we see in the floors, which are in many places more or less vitrified, but for the most part merely penetrated by the black vapor, and which have everywhere an irregular level, convinces us that they have not been artificially baked, but burnt and destroyed in the great catastrophe by the falling of the burning ceilings, which must have been in the shape of terraces, and consisted of wooden beams covered with clay, much like the terraces of all the present houses in the Trojan villages.

The clay floors of the temples were paved with slabs of green slate, of which we found many still *in situ*, and which must have given to the temples a splendid appearance. But, as before said, the breadth of temple A, inclusive of the walls, being thirteen meters, and the inner span more than ten meters, we can hardly think it possible that the ceiling could have been solid without the assistance of columns, of which, however, no trace was found. Columns do not occur in the "Iliad," but they are mentioned in the "Odyssey," where they are no doubt of wood. But, if there had been wooden columns in temple A, they could not have stood on the clay floor; they must have had bases of stone, of which none exists. Of capital interest is the internal arrangement of both temples, for both have, on the

south-east side, an open pronaos or vestibule, which is, in temple A, 10 m. 35 c. long by ten meters broad, and separated from the adytum (seventeen meters long by ten meters broad) by two protruding walls which formed the door. Precisely in the midst of the adytum is a circular platform of clay, having four meters in diameter and 0 m. 06 c. in height, on which, probably, the wooden idol may have stood. As the walls of the pronaos run out on the south-east side without being joined by any other wall, their ends had to be consolidated; and this was done by means of wooden pilasters, called in Greek, *parastades*, in Latin, *anti*, of which six were fixed at each wall-end. They stood on well-cut and polished bases, of a hard, calcareous stone, 1 m. 75 c. long, on which we still found their carbonized remains. Each beam of each *parastas* of the large temple was 0 m. 25 c. in diameter; the size of those of the small temple cannot be accurately ascertained.

Similar wooden *parastades* have, as far as I know, never yet been found, except at the ancient Hera temple in Olympia, in which Dr. Dörpfeld has proved their existence beyond any doubt. This Olympian Hera temple dates, according to Pausanias, from the year 1100 B. C.

These wooden *parastades*, which, as Dr. Dörpfeld observes to me, have here at Troy only a constructive intention, namely, that of protecting the fragile ends of the brick walls of the temples, are the forerunners of the beautiful *parastades (anti)* of the later Greek temple, which have there only an artistic intention, and were perfectly superfluous in a constructive point of view. In the later Greek temple we invariably find between the two *parastades* two columns, which may also have been between the *anti* of these Trojan temples; but their existence cannot be proved with certainty, for, though there are foundations, there are no bases, like those of the *parastades*, on which the columns could have stood. The small temple, B, is differently arranged from the large temple, A, for its inner space, behind the pronaos, is divided into two successive rooms, the first of which is 7 m. 30 c., the second 8 m. 80 c. long; both are four and a half meters broad. The door leading into the first room is two meters broad, and exactly in the midst of the wall; the door of the second room is but one and a quarter meters broad, and placed at the very extremity of the wall. As the wall coatings terminate at the door-openings, it is evident that these have also been lined on each

side with a sort of *parastades*, and, in fact, we see the carbonized remains of the beams, but cannot make out how many there were of them. As these beams were not heavy, they had no bases of stone. In the great temple the door which leads from the pronaos into the adytum is four meters broad.

To the south-east of the small temple we found a third one, which we shall call C, whose architecture is perfectly similar, for it has also a pronaos, the wall-ends of which have equally been consolidated with *parastades*, each of six beams, which rested on large, flat, square stones. Though this temple is only 3 m. 10 c. broad between its walls, the door leading from its pronaos to the inner apartment was 1 m. 50 c. broad, and had a well-cut and polished threshold of good calcareous stone, which is two meters long by one meter broad. The excavation of this temple is not finished yet, though I perfectly share my excellent collaborators' opinion that these buildings—A, B, and C—were temples; yet I cannot refrain from reminding the reader of their great resemblance to the house which, according to the "Iliad" (vi., 316), Paris had built for himself by the best architects of Troy, for it consisted of a thalamos, under which we must understand the innermost room, a dome, which we understand for the second room, and an aulé, which word otherwise means a court, but seems to have here the same signification as prodomos, or entrance-hall. I call the reader's particular attention to the fact that Homer names here the rooms in their succession precisely so as we find them in B. What leads us more than anything else to believe that these edifices are temples is a newly discovered gate-way, which leads up from the south side, in a slope, to the edifice A, and appears to have served exclusively for the temples. I began to excavate it six weeks ago for a distance of forty-five meters; but as, for the most part, I have to dig down to a depth of twelve and fourteen meters, I have not been able yet to finish its excavation. As its floor consists of clay, it can only have served for pedestrians; it is three meters broad, and has on either side walls five meters high and more than six meters thick, probably the substructions of a gigantic tower, into whose construction wood must have entered largely, for otherwise we are at a loss to understand the enormous masses of red wood-ashes with which the gate-way is filled, and the extraordinary incandescence which has been here in the catastrophe, and which has been so terrible that many stones have been burnt to chalk, and that the pottery

has either crumbled away to atoms, or has melted into shapeless masses. On either side of the road we see a neat parapet, 0 m. 15 c. high by 0 m. 30 c. broad. In the thick walls of this gate my architects recognize two different epochs, for the southern pass consists of larger and more polygonal stones, joined with a coarse brick material—that is, mortar of clay and straw, which has become quite baked, and is perfectly similar to the mortar in temple A. The more northern part of the gate-walls consists of smaller, more rectangular stones, joined with a light clay-mortar, which is perfectly similar to the clay in temple B. It is, however, worthy of note that this clay-mortar exists only in the exterior masonry, and it may therefore be called a far-penetrating coating. The colossal masses of broken bricks found in the gate-way, and which evidently belong to the upper story of the masonry, have the same height as those of temple B, namely, 0 m. 085 c., their breadth being 0 m. 305 c. The upper layer of the gate-way consists 0 m. 30 c. deep of earth and sand; then follows a layer of *débris* of bricks 0 m. 85 c. deep, below which we see the whole space filled with red wood-ashes, and *débris* of bricks and stones, all of which show evident signs of the white heat to which they have been exposed. Highly interesting are the wooden beams, which stood at intervals of two to two and a half meters on either side of the gate-way, and which we recognize by the impressions they have left in the walls, as well as by the carbonized remains of them which we find in the round holes 0 m. 25 c. deep and 0 m. 20 c. in diameter, in which they stood in the ground. These beams served to consolidate the walls and to bear the superposed beams. In various places where these beams have stood, the heat caused by their burning has been so great that not only the calcareous stones have been turned into chalk, but this chalk has become, with the wall-coating, one solid mass, so compact that we experience the very greatest difficulty in cutting it away with the pickaxe. The gate proper was, of course, in the great wall of this second city (the first burnt city), through which the gate-road passes, and which is a continuation of the great wall marked C on the engraving No. 144 in my work "Ilios." I am now busily engaged in bringing this wall to light in its entire circuit, except, of course, where it has been cut through by my former trenches. This wall is slanting at an angle of 45°, and of colossal size. I excavated it on the west side, close to the great gate, to a depth

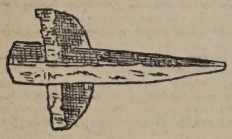
of fourteen meters without reaching its bottom. It presents as it is an extremely grand appearance, and, if we consider that it formed merely the substruction of the great brick wall, which must have been six to eight meters high, we can easily conceive that, when the whole wall was still entire, the Trojans should have thought so much of it as to attribute its construction to Poseidon and Apollo.

The people of the second city (the first burnt city) built the great stone gate (see the engraving, No. 10 in "Ilios"), but they made it with only one closure, in front of which was an open place followed up by a vast edifice, which occupies the whole space between the western part of the great wall and my great northern trench (see in my "Ilios," Plan I., between Z—O and X—Z), and of which I have brought to light the substructions in removing those of the small houses of the third city, which had been built in all directions over them. The substructions of this large edifice may also be seen in all directions beneath those of the royal house of the third city, represented under No. 188 in "Ilios," which I have left standing. Their walls, which are from 0 m. 80 c. to 1 m. thick, and consist of large stones, prove to us that this house must have had many stately halls, which were paved with slabs of green slate. In fact, as compared to this edifice and to the three large buildings, which we presume to be temples, the houses of the third city are altogether lilliputian. It is not certain that all the clay floors of the apartments of this large house were paved with slabs of slate, many of the floors being completely vitrified in the great catastrophe by the silica of the straw contained in the clay. Now I think this could not have occurred had the floors had a second pavement of slate slabs. The quantity we find of the latter is, however, very great. I am now energetically at work to bring to light the remaining buildings of the second city, but the remaining space between its walls is so limited that there can only be two or three more houses.

The great size of the buildings of this second city, the peculiar character of the edifices A, B, C, the great gate-way paved with clay which leads up to them, or especially to A, the great wall (see wood-cut No. 2, B, in "Ilios") which proceeds from the Acropolis in a south-easterly direction, and which, at variance with the Acropolis walls, which are slanting, is quite straight; and last, not least, the masses of prehistoric pottery

found in my trenches on the plateau to the east, south, and west of the hill. This variety of facts proves that the hill Hissarlik served merely as Acropolis and sacred inclosure of the temples to the second settlers, whose city proper extended on the plateau at the foot of it. We have, therefore, in the second city, a town before us which had a Pergamos, with large and stately edifices, and which, consequently, perfectly answers the description Homer gives of sacred Ilios. The new settlers, the builders of the third city, limited themselves to the hill of Hissarlik, and had no lower city; they therefore used, no doubt, the stones of the old town to build theirs on Hissarlik. Judging by the smallness of the houses of the fourth and fifth settlers on Hissarlik, we may be certain that they too had no lower city. The ruins of the second city, therefore, as they consisted for the most part of bricks, and as for many centuries they remained exposed on a hard soil to the inclemencies of the weather, naturally disappeared. I now even believe in the tradition reported by Strabo (xiii., p. 599), that the Mitylenian Archæanax used the stones of Troy to build the walls of Sigeium, for no doubt only the stones of the city wall of Troy were meant. Many of the stones may also have been used to build the Æolian Ilium; but, in spite of all that, I am still in hopes of discovering more of the lower city wall of Troy proper than the fragment represented under No. 2 B. In general, the layer of ruins and *débris* of the second city is 1 m. 50 c. deep, but in many places the houses of the third city have been built so closely upon the remains of the second city that the ruins of its walls are merely 0 m. 10 c. to 0 m. 20 c. deep. If the ruins of the temples are comparatively well preserved, and if outside of them we find the foundations of the houses of the third city much deeper than inside of them, we can attribute all this merely to the lucky circumstance that inside of the temples the mass of *débris* was enormous, and that the new settlers built their houses upon it, whilst outside these edifices there was but little or no accumulation of *débris*. Of gold, only a small frontlet and an ear-ring of the common Trojan shape (see in "Ilios" the engraving No. 695) were found in the temple A; of silver, a number of ear-rings of the same form and four or five brooches of the shape represented in "Ilios" under No. 151, all attached together by the cementing action of the chloride. But much more remarkable are the bronze nails, of which a large number was found in the temple A, from 0 m. 15 c. to 0 m.

25 c. long, and from five hundred to eleven hundred and ninety grammes, equal to from two to two and one-half pounds troy in weight. Nearly all of them are quadrangular, and run out to a point much like those represented in "Ilios" under Nos. 11 and 819, which were held to be bolts or to have been used as keys; but, as we found many of these nails sticking perpendicularly in the floors, where they no doubt once retained objects of wood, there can now be no doubt that, if they were used at all as keys, they certainly served principally as nails. Some of them have a very large and thick round head; but the most remarkable are those which near their thick end are surrounded by a thick and heavy bronze disk of 0 m. 10 c. to 0 m. 125 c., equal to four to five inches in diameter But it deserves particular attention that the disks do not form an integral part of the nails, but that they were stuck on them by means of the quadrangular hole they have in the center. I give here a drawing of one of these curious nails, which have certainly never been found before.



These disk-nails are the heaviest of all, for they weigh two and one-half pounds troy; they only occurred in temple A; in temple B only a few of those without disks were found. In the very large edifice of the second city, which occupies the whole western and north-western part of the Acropolis, we found, in or close to the spot marked R on Plan I. in "Ilios," quite a small treasure of objects of bronze, consisting of a quadrangular nail 0 m. 18 c., and another 0 m. 09 c. long; six well preserved bracelets, two of which are treble; three small battle-axes 0 m. 105 c. to 0 m. 12 c. long, two of which have a hole in the smaller end; a battle-ax 0 m. 23 c. long, and two large fragments of others. All these battle-axes have the form of that represented in "Ilios," under No. 828. Further three well preserved small knives, and a dagger 0 m. 22 c. long, perfectly resembling in shape that represented in "Ilios," under No. 901. Very curious are the two long, parallel holes in the lower part of the blade of the dagger. The handle, which is quadrangular, was encased in wood, and its end was turned round at right angles, so that the casing might stick to it. In the great catastrophe the blade was rolled up, and got a circular form. There was also found a lance-head 0 m. 185 c. long, similar to those represented under No. 801–805 in "Ilios."

I may further mention a very curious bronze ring, 0 m. 045 c. broad and 0 m. 068 c. in diameter, which shows great artistic skill, and is not unlike our table napkin-rings; it is divided into five compartments, each ornamented with a cross. But by far the most important object the little treasure contained was an idol of bronze, of the most primitive form and fabric, with a head resembling very much that of an owl; it has no mouth; the ears are bent over so as to form small rings; one of the arms is turned round so as to rest on the breast, and this proves to us that it is a female figure; the other arm is broken; the feet are shapeless stumps; to the middle of the legs is attached from behind a prop or stay, 0 m. 04 c. long, which can leave no doubt that the idol was intended to be placed upright; it is 0 m. 155 c. long, and weighs four hundred and forty grammes, or nearly one pound troy. I think it likely that this bronze figure is a copy or a rude imitation of the famous Palladium, which was probably of wood. It is broken into three fragments, to which lucky circumstance I am indebted for the good fortune of having received this idol in my division of the antiquities with the Imperial Museum at Constantinople, for the three fragments were covered with dirt, and altogether undistinguishable to an inexperienced eye; thus I obtained them in exchange for one bronze battle-ax. The small treasure contained further two rims of bronze vases, and the fragment of a bronze vessel with a large handle.

Terra cotta whorls, both plain and with an incised ornamentation, were found again in great abundance. Twenty ornamented ones were found in one heap just in front of temple A, which circumstance leaves no doubt in my mind that such whorls were used as votive offerings to Pallas Athena, the tutelary deity of Ilios, who, in her character of Ergané, was the protective divinity of the working-women, particularly the weavers. Well polished axes of diorite were found again in large numbers; also four small ones of jade, and immense quantities of hand mill-stones of trachyte; mortars, pestles, rude hammers, corn-bruisers, etc., of granite, porphyry, silicious stone, etc.; also a great many well-polished sling-shots of hæmatite, most of which occurred in temple A. One of them had the enormous weight of one thousand one hundred and thirty grammes, or about two and one-half pounds troy. Another sling-shot of hæmatite, found in temple C, weighs five hundred and twenty grammes. There were also found in temple A some

well-polished eggs of aragonite, and quite a number of small, rude marble idols like No. 197 in "Ilios." In temple B were found more than a hundred perforated clay cylinders, like those represented under Nos. 1200 and 1201 in "Ilios," which may have been used as weights for the looms. Of bronze were found masses of brooches (like those represented under Nos. 928–930 in "Ilios"); they are in the form of nails with globular heads, and they were used in the prehistoric cities of Hissarlik instead of the not yet invented *fibula*. Of the same metal were further found many knives.

Of ivory was found a most curious object, with five semi-globular excrescences, in form much like the object of Egyptian porcelain represented under No. 983 in "Ilios"; also, of ivory, two curious handles in the shape of dogs, like No. 517 in "Ilios," and a little ram. Of pottery, large masses of tripod-vases (like Nos. 273–281 in "Ilios") and of vases with owl-heads (like Nos. 227 and 229). The people of the third city have not always built their houses upon the ruins of the second; we frequently see their foundations in the midst of the old buildings, and some of them had been let down even to the floor of the temples, in the brick walls of which they had here and there put their large jars. Immediately to the east of the newly discovered gate of the second city, but three meters higher, we found in the great brick wall of the third city a curious gate, in the midst of which stood the sacrificial altar represented under No. 6 in "Ilios." Close to the latter is a gutter of rude slabs, which may have served to carry off the blood of the victims. In digging down in this gate-way we discovered, at a depth of about 1 m. 50 c. below it, the substructions of a much more ancient gate of the second city, which is six meters broad, and must, like the two other gates of this same settlement, have led down from the Acropolis to the lower city. Again, immediately to the east of the gate with the altar, but five meters higher, we see the gigantic substructions of the great gate of the Acropolis of Novum Ilium. On the outside stood Doric marble columns with a triglyph entablature; in the interior, the gate proper was formed by two Corinthian columns.

As mentioned in the preceding pages, the great stone gate (No. 10 in "Ilios") was built by the people of the second city, who made it with only one closure; but the subsequent settlers, the people of the third city, enlarged it and made it with a treble closure. My architects have proved to me that the

now visible foundations of the gate-posts were then not visible above the floor, remnants of which may still now be seen between the stones of the parapet, for this floor is 0 m. 50 c. higher than the pavement of the gate as it is now excavated. Farther down the gate-road the difference of the level is even 1 m. 50 c., and the people of the third city had probably no idea of the existence of the beautiful gate-road below their miserable unpaved road. Nothing is more curious than to observe here the succession of floors in the great stately edifice of the second city, part of whose ruins we see in all directions beneath the royal house of the third city. We see there at first a floor of the second city, consisting of clay and small pebbles, on which the third settlers have built a house-wall, whose two lowest courses of stones must be reckoned as foundations. On a level with the third course of stones may be seen the clay floor of the house (of the third city), which is 0 m. 35 c. above that of the second city; but in the course of time a third floor of clay was made 0 m. 40 c. above the second floor. I may still mention that shells as well as potsherds of the second city are very abundant in the bricks of the third city, and that the shells are black wherever the bricks have been exposed to an intense heat.

Not the least interesting of my researches of this year was the exploration of the two conical tumuli at the foot of the promontory of Sigeium, of which tradition assigns the one to Achilles, the other to Patroclus. Three years ago the proprietors of these tumuli asked me £100 for the permission to excavate each of them; but now their pretensions were much more moderate, and I obtained the permission to excavate both for £3. The tumulus of Achilles is situated at a less height, immediately to the north-east of Cape Sigeium, and thus close to the Hellespont. Its diameter at the foot is thirty, its upper diameter fifteen meters; its lowest height is four, its greatest height twelve meters. It had been explored in 1786 by a Jew, by order and on account of Choiseul-Gouffier, who was at that time French Ambassador at Constantinople. The Jew pretended to have sunk a shaft from the top (see C. G. Lenz, "Die Ebene von Troia, nach dem Grafen Choiseul-Gouffier," Neu Strelitz, 1798, p. 64), and to have found the upper part of the tumulus to consist of well-beaten clay, to a depth of two meters; to have struck then a compact layer of stones and clay, 0 m. 60 c. deep; to have found a third stratum, consisting of earth mixed with sand, and a fourth of very fine sand, and to have reached at a depth of 9 m. 70 c. a quadrangu-

lar cavity four feet in length and breadth, formed of masonry, and covered with a flat stone, which had broken under the weight pressing upon it. It is not quite clear whether the Jew meant the cavity to have been in the rock or above it; at all events, he describes the rock as consisting of *granite*. He pretends to have found in the cavity charcoal, ashes impregnated with fat, several bones, among which was a tibia, and the fragment of a skull; also the fragments of an iron sword, and a bronze figure seated in a chariot, with horses, as well as fragments of pottery, exactly similar to the Etruscan, some of which were much burnt and vitrified, whereas all the painted vessels were unhurt. But as no man of experience or worthy of confidence was present at the exploration, scholars appear to have distrusted the account from the first, and to have thought that the Jew, in order to obtain a good reward, had procured and prepared beforehand all the objects he pretended to have found at the bottom of the tumulus. My present exploration of the Achilles tumulus, as well as all the experience I have gathered by the excavation of many similar tumuli, are altogether fatal to the Jew's account of his discoveries. In the first place, I can assure the reader that the rock here, as well as everywhere else in the plain of Troy, is calcareous, and that no granite rock exists here; and in the second place, that the Jew made only a small excavation in the southern slope of the tumulus, and that he remained far away from its center; in fact, so far away from it, that, in the shaft three meters in length and breadth which I sunk in the top of the tomb, and precisely in its center, I found all the different strata of earth of which the tumulus is composed perfectly undisturbed. As my shaft remains open, and as I cut out in it stairs, visitors can easily convince themselves that

The upper layer,	0	m.	70	c.	deep,	consists of black earth.
" second "	0		30	"	"	sand, clay, and small stones.
" third "	0		10	"	"	white and yellow clay.
" fourth "	0		30	"	"	light-colored clay, with small stones.
" fifth "	0		10	"	"	blue clay.
" sixth "	1		70	"	"	sand and light-colored clay.
" seventh "	0		10	"	"	black earth.
" eighth "	0		20	"	"	light-colored clay.
" ninth "	3		—	"	"	light-colored lumps of clay, mixed with pieces of sandstone.

Thus we get a total depth of 6 m. 50 c. from the top of the tumulus to its bottom, which differs by not less 3 m. 20 c. from the depth of 9 m. 70 c. which the Jew pretends to have reached, though in reality he appears to have excavated only one meter deep. As in all the tumuli of the Troad explored by me in 1873 and 1879, I found in the tumulus of Achilles no trace of human bones, ashes or charcoal — in fact, no trace of a burial. Of bronze I found a curious arrow-head without barbs (γλωχῖνες), in which are still preserved the heads of the little pins by which it was fastened to the shaft; also the fragment of an iron nail. Of fragments of pottery large quantities turned up, among which there are a number of pieces of that thick, glistening, black pottery which is peculiar to the first and most ancient city of Hissarlik. But these potsherds must have lain on the ground when the tumulus was heaped up, because by far the greater portion of the pottery is archaic, varnished black, or yellowish, with black or red bands, to which archæology cannot ascribe a remoter age than the ninth century B. C. The result of this exploration has therefore been to prove that the account of the Jew employed by the French Ambassador, Choiseul-Gouffier, in Constantinople in 1786, to excavate the Achilles tomb, is, to say the least, a fiction from one end to the other.

The tumulus attributed to Patroclus, which is about four hundred meters to the south-east of the Achilles tomb, has been excavated in 1855 by the American Consul, Mr. Frank Calvert, of the Dardanelles, in company with some officers of the British fleet. They sank an open shaft in it, and dug down to the rock without finding anything worthy their notice. But at that time archæologists paid no attention to ancient potsherds; in fact, it is only within a few years that the latter have been considered as the cornucopiæ of archæological knowledge, and employed as the key to determine approximately the age of the sites where they are found. I was therefore very anxious to excavate the Patroclus tomb again, in order to gather the potsherds, which I felt sure to find. The diameter of this tumulus at the base is twenty-seven meters, at the top eight meters; its perpendicular height six meters. I sank in it from the top a shaft three meters in length and breadth, and dug it down to the rock. I found this tumulus to consist entirely of light-colored clay. The pottery I found in it is much less abundant than that contained in the Achilles tumulus, but it consists also of archaic, varnished black or yellowish, or red Hellenic terra cottas similar to those of

the Achilles tomb, and it leaves us in no doubt that both these tumuli must belong to about the same epoch. This exploration seems to give us an additional proof that all the tumuli of the Troad were mere cenotaphia or memorials.

The most interesting of all the tumuli of the Troad is no doubt the tumulus attributed by the tradition of all antiquity to the hero Protesilaus, the first Greek who, on the arrival of the fleet, jumped on shore, but also the first who was killed by a Trojan.* This tomb was shown on the Thracian Chersonesus, near the city of Elaeus,† of which large ruins may be seen near the fortress of Sedil Bachar, situated close to the extreme point of the peninsula, and built in the year 1070 after the Hegira, or 1654 after Christ. This tumulus lies near the farther end of the small but beautiful valley of exuberant fertility which extends between Sedil Bachar and an older—now abandoned—Turkish fort, which occupies part of the site of Elaeus. This sepulcher was not less than one hundred and twenty-six meters in diameter; it is now only ten meters high, but as it is under cultivation and has probably been tilled for thousands of years, it must originally have been much higher. In order to facilitate its cultivation, its west, south, and east sides have been transformed into three terraces, sustained by masonry, and planted with vines, almond-trees, and pomegranate-trees; the top and the northern slope are sown with barley, and planted also with vines, olive-trees, pomegranate-trees, and some beautiful elm-trees, which latter vividly called to my recollection Philostratus's‡ dialogue between the vintager and the Phœnician, and the elm-trees which the former describes as planted around the tomb of Protesilaus by the Nymphs, and of which it was said that the branches turned toward Troy blossomed earlier, but that they also lost their leaves earlier and withered away sooner. According to Pliny§: "Sunt hodie ex adverso Iliensium urbis, juxta Hellespontum, in Protesilai sepulcro arbores, quae omnibus aevis, quum in tantum accrevere ut Ilium adspiciant, inarescunt, rursusque adolescunt."

In visiting the tomb I was amazed to find it strewn with fragments of thick glancing black pottery; of bowls with long, horizon-

* Homer, Il., II., 695–702.

† Strabo, XIII., p. 595; Pausanias, I., 34, 2; Tzetzes Lycophron, 532.

‡ In Heroicis.

§ H. N., XVI., 88.

tal tubes for suspension on two sides of the rim, or of vases with double vertical tubular holes for suspension on the sides; also, with fragments of glancing black bowls, with an incised ornamentation filled with chalk to strike the eye. This pottery only occurs at Troy in the first city, and it is by far the oldest I ever saw. It is therefore quite inconceivable how, after having been exposed for perhaps four thousand years to frost and heat, rain and sunshine, it could still look quite fresh; but it bewilders the mind still more to think how the chalk which fills the ornamentation could have withstood for long ages the inclemencies of the seasons. I also picked up there many of the feet of terra cotta tripods, saddle-querns of trachyte, small flint-saws or knives, some rude hammers of diorite, together with a fine specimen like No. 1270 in my "Ilios"; also, a certain number of corn-bruisers of silicious stone or granite. Having brought four workmen with axes, shovels, baskets, etc., with me, I at once sunk, just in the middle of the summit, a shaft three meters in length and breadth; but my laborers had scarcely been at work for two days when they were stopped by order of the military governor of the Dardanelles, who, not being able to conceive how a man can lose his time in digging for anything but gold, suspected that I merely used the excavation of Kara Tgatch Tepessi, which is the present name of the Protesilaus tomb, as a pretext to make plans of the fortress of Sedil Bachar, and to investigate the lines of torpedoes recently sunk in the Hellespont. But, happily, in those two days my four workmen had dug down to a depth of 2 m. 50 c., and had found large quantities of most ancient pottery similar to that of the first city of Hissarlik, some perforated balls of serpentine, a number of excellent axes of diorite, and other interesting things. At a depth of 1 m. 50 c. they struck a layer of slightly baked bricks, mixed with straw, very similar to the bricks found in the second and third city of Hissarlik. I have still to add that prehistoric pottery is also found for some distance in the fields around the tumulus of Protesilaus. Here, therefore, must have lived in a remote prehistoric age a people of the same race, habits, and culture as the first settlers on the hill of Hissarlik.

I also investigated most carefully the heights beyond the village of Bunarbashi, which are called the Bali Dagh, and which for nearly a century have had the undeserved honor of being considered as the real site of Troy. At the extremity of these heights, ruins of walls and heaps of potsherds indicate the site

of a very small, ancient city, crowned by an acropolis, the former being 200 meters long, the latter 200 meters long by 100 meters broad. The walls of the latter plainly show two different epochs; those of the first epoch are built of large unwrought blocks, joined with smaller stones; those of the second of wrought stones, which have been laid in regular courses. These two distinct epochs I also found in all the trenches I dug, and in the shafts I sunk both in the Acropolis and in the lower city. In a trench 25 meters long by 2 m. 50 c. deep, which I dug in the midst of the little citadel, I found in the stratum of the second epoch, which reached to a depth of 1 m. 80 c. below the surface, several house-walls of small stones and numerous fragments of black, brown, or red Hellenic pottery, for which I do not hesitate to claim the fourth and fifth century B. C., together with fluted black pottery of about 200 B. C. Below this layer was the stratum of the first epoch, with a house-wall equally built of small stones and masses of very coarse and heavy glazed black or gray wheel-made pottery, which has been but very slightly baked, and is therefore of a light-gray fracture. This very same pottery is also found at Hissarlik in the lowest stratum of *débris* of Novum Ilium, immediately below the Macedonian walls, and it can by no means be called prehistoric; but it evidently belongs to a time previous to the fifth, and it is most probably of the sixth, century B. C. It is now and then intermixed with that coarse, unglazed gray pottery which occurs in such large masses at Hissarlik, immediately below the stratum of the Æolic Greek colony, and which I hold to be Lydian (see my "Ilios," pp. 587–600). In this trench I struck the natural rock at a depth of 2 m. 50 c. In a second trench, dug on the east side of the Acropolis, I found the accumulation of *débris* to be only 1 m. 50 c. deep, of which 0 m. 60 c. belongs to the second, and 0 m. 90 c. to the first epoch. I brought here to light the substructions of an edifice of neatly wrought quadrangular blocks of conglomerate rock, and the same black, brown, or red-glazed or fluted Hellenic pottery in the upper, the same very coarse, heavy-glazed, black or gray wheel-made pottery in the lower layer. The same also occurred to me in the trench I dug at the west end of the Acropolis, where the rock was reached at a depth of 2 m. 50 c., as well as in a trench dug at the eastern extremity, where, besides the same kinds of pottery, two iron nails and a copper one were found; also, in a shaft which I sunk 3 m. 50 c. deep in an ancient

building of the Acropolis, and in others which I sunk in the lower city. Among the architectural curiosities of the latter I may mention a large and a small stone circle, which are contiguous. In a shaft sunk in the larger circle I found very numerous fragments of a coarse, unglazed gray pottery, which resembles the above-mentioned pottery. Of the three tumuli or so-called heroes' tombs outside the city wall, I excavated the still unexplored smallest one, which is only 25 meters in diameter, and 2 m. 50 c. high, and which used to be attributed by the adherers of the Troy-Bunarbashi theory to King Priam himself. I found in it very numerous fragments of the same rude, heavy, glazed gray pottery, of the first or more ancient epoch of Bunarbashi, which seem to prove that the tumulus belongs to a time previous to the fifth century B. C., but that most certainly it cannot claim the age of even the latest prehistoric city of Hissarlik. Of terra cotta whorls, which occur by thousands in the prehistoric cities of Hissarlik, only two were found, and even these are in shape and fabric perfectly similar to all those found in Novum Ilium.

I also excavated among the ruins of the ancient town called Eski-Hissarlik, which is situated on the rock on the eastern bank of the Scamander, opposite to the heights of Bunarbashi. The pottery I found there is perfectly similar to that of the first settlement on the latter, and must, consequently, be of about the same epoch. I also excavated in the ancient settlement on the mount called Fulu-Dagh, to the north-east of Eski-Hissarlik, where I found, at a distance of fifty meters from each other, two concentric circles of fortifications, of which the inner one is sixty meters in diameter; but all the walls have fallen, and are shapeless heaps of stones. I found there only a very rude, unglazed, and unvarnished pottery, which is certainly not prehistoric, but whose age we have no means of fixing even approximately; but a very similar rude red pottery being also found in the lower stratum of Novum Ilium, we may probably be near the mark if we assign it to the sixth or seventh century B. C.

I also excavated on the site of the ancient city of Cebrene, on Mount Chali-Dagh, near Beiramich. The altitude of its acropolis is five hundred and forty-four meters, that of the lower city five hundred and fifteen. In the acropolis there are only a few foundations of houses cut out in the rock, and a cistern 6 m. long, 5 m. 50 c. broad, 4 m. deep; there is no accumulation

of *débris*, and no trace of walls; but these were not needed, the rock descending vertically on all sides except in one place.

In the lower city may be seen a great many foundations of ancient houses of large, well-wrought blocks. The walls, which are more than two miles in circumference, consist on both sides of large wedge-like blocks, between which the space is filled up with small stones; five gates are easily traced, and the remains of an ancient causeway are visible part of the way down the gradual descent. I excavated in more than twenty places in the lower city, but struck the virgin soil everywhere at a depth of less than 0 m. 50 c., and for the most part at a depth of only a few inches. I found here, in all my ditches, glazed black or red Hellenic potsherds, together with the very same kind of but slightly baked gray or black pottery which I had dug up from the lower stratum in my excavations on the heights of Bunarbashi and in Eski-Hissarlik, and which must be of the same age.

In two of my trenches I struck tombs with human skeletons. In one I found a pair of silver ear-rings, an iron tripod, a bronze bowl, some broken bronze vessels, and two coins, one of silver, the other of copper, of Cebrene; both have on one side an Apollo-head, on the other a he-goat head with the letters K E. All we know of the history of Cebrene is, that Antigonus forced its inhabitants to abandon their city, and to settle down in Alexandria Troas.

I also excavated on Mount Kurshunlu Tepeh, at the foot of the Ida Mountains; it lies on the Scamander; its altitude is three hundred and forty-five meters. This mount has evidently been the site of successive cities. When, in the beginning of this century, Dr. Clarke* visited it, it was still covered with ruins of ancient buildings; but these have since been used as building material in the neighboring city of Beiramich, and nothing remains now except a few foundations of walls. I excavated in twelve places on the top of the mount, but always struck the rock at a depth of less than one meter, and usually at a depth of 0 m. 15 c. to 0 m. 20 c. Strange to say, I found here again only scanty fragments of Greek or Roman pottery, with the pottery of the second epoch. As the summit slopes in every direction, probably all remnants of human industry have been carried away by the winter rains. I hold this

* P. Barker Webb, "Topographie de la Troade," p. 80.

mount to have been the site of the ancient city of Dardanie, which Homer ("Iliad," xx., 215–218) tells us was built at the foot of Mount Ida. This city must necessarily have been on a spot whose environs were fertile enough to feed its inhabitants, and this is certainly not the case with the higher placed villages, Oba Kioi and Evjilar, whose land hardly produces enough for the miserable existence of their scanty population. We ought further to consider that Dardanie was situated in Dardania, the dominion of Æneas, which, according to Strabo (xiii., 596), was limited to the small mountain-side, and extended south to the district of Scepsis, and north to the Lycians about Zeleia. As, according to the tradition preserved by Homer, the inhabitants of Dardanie emigrated and built Ilium, I suppose that the abandoned city on Mount Kurshunlu Tepeh received other colonists, and was called Scepsis, because—as Strabo (xiii., 607) suggests—it had a lofty position and was visible at a great distance. Just as, according to Homer, Dardanie was the residence of the ancient kings, so the ancient Scepsis remained, according to Demetrius apud Strabonem (xiii., 607), the residence of Æneas. It was situated above Cebrene (that is to say, nearer to Mount Ida), and separated from it by the Scamander (xiii., 597). Strabo goes on to inform us that the inhabitants of Scepsis founded, at a distance of sixty stadia from the ancient city, the later Scepsis, which still existed at his time, and which was the birthplace of Demetrius. It is probably identical with Beiramich.

In recapitulating, therefore, the results of my Trojan campaign of this year, I have proved that in a remote antiquity there succeeded each other here two cities, both of which were destroyed in a fearful calamity by fire, and that the first of them perfectly answered to the description of Homer, for it had a lower city and an acropolis, which latter contained a small number of large buildings and three temples. I have further once more put to naught the pretensions of the small city on the Bali-Dagh to be the site of Troy, inasmuch as I have shown its remains to be lilliputian, and its most ancient pottery ages later than even the latest prehistoric city of Hissarlik. I have further proved that the accumulation of ancient *débris*, which exceeds in depth sixteen meters at Hissarlik, is quite insignificant in the city on the Bali-Dagh, and amounts to nothing in Eski-Hissarlik, Fulu-Dagh, and Chali-Dagh (Cebrene), and

that, judging from the pottery found there, all these places are of about the same age as the first settlement on the Bali-Dagh — that is to say, probably of about 600 B. C. I have further proved that the two tumuli, which, by the tradition of all antiquity, have been attributed to Achilles and Patroclus, cannot claim a higher antiquity than the ninth century B. C., whereas the tumulus to which tradition pointed as the tomb of Protesilaus most probably belongs to the age of the second city of Hissarlik.

HENRY SCHLIEMANN.

POLITICAL BOSSES.

"Things refuse to be mismanaged long."

SOVEREIGNTY of some kind is indispensable to government of whatever form. We have been accustomed in this country to think that it resides ultimately with the people. To whatever extent this is true, it is essentially important that the popular will be fairly and truly expressed, and that it have its legitimate effect in government.

Fifty millions of people have many minds, but their government must, in a given case, on a given occasion, have a mind and will of its own, and it must be clothed with power to carry that will into effect; otherwise there would be anarchy. Just how to make the mind and will of the people's government accord at all times with the will of the people is a problem never yet solved. Granted that constitution and laws express the popular will, still they cannot execute themselves. Therefore, the execution of the law and the administration of government must be intrusted to human hands. At this point the weaknesses and wickedness of human nature have crept into all systems of government ever yet established.

But, though governors must be human, and all governments, therefore, ever remain liable to imperfections and abuses in administration, some are good and some bad; and it not infrequently happens that one administration is good, while another, under the same constitution and laws, is bad.

Next to the founding of a government, the making of its laws has been regarded as the highest duty and the greatest responsibility imposed upon man. The past has bequeathed to us who live in the nineteenth century a splendid endowment in this respect; and while much important work in this field

remains to be done, and no age will be wholly relieved from it, the great burden of government now lies, and henceforth must lie, in the charge of its administration, and not in the framing of constitutions or laws.

By a process of political evolution, the people in all highly civilized countries have quite largely secured the right to make their own laws. But while they have, by the aid of representative forms of government, so generally dethroned monarchical and aristocratic powers in law-making, they have nowhere instituted and securely established the democratic principle in the execution of laws or in the administration of their own governments; and it is the administration of the law which most directly and seriously affects them. They make laws for their own government, and they are generally required to obey them. Their rulers govern them; the question is: How shall they govern their rulers?

The English-speaking people have been seeking the true answer to this question ever since they first had existence as a nation. In strange, devious, tortuous, and mysterious ways; by toil and sweat and blood; by the purse and by the sword; by crusades and conquests and conventicles; by passive obedience and by heroic resistance; by tongue and pen and press; and by other and innumerable conquests in the universe of thought and action, they have produced a wonderful mechanism of administration, which, rightly adjusted and applied, will enthrone and crown public opinion, founded in righteous thought, sovereign over all rulers, and supreme over all forms of government. Many times in their history has this "higher law" of their being had sway. Kings have resisted it; Presidents have disregarded it; ministers and cabinets have rebelled against it, and used factions and parties and patronage and spoils and usurped powers to make void its behests; but in the end they have been compelled to abdicate the exercise of authority, or to submit to its sovereign power. Other and wiser kings, presidents, ministers, and cabinets have recognized and obeyed it, and have ameliorated the condition of mankind, and deserved and received the plaudits of their fellow-men. By such recognition of public opinion, righteous rulers have given it organic life,—that which alone can make it effective in the work of government.

"Public opinion," says Bentham, "may be considered as a

system of law emanating from the body of the people. . . . To the pernicious exercise of the power of government, it is the only check; to the beneficial, an indispensable supplement. Able rulers lead it; prudent rulers lead or follow it; foolish rulers disregard it." For ages and ages the world was governed not so much in deference to public opinion and general interests, as in obedience to personal judgment and private ends. Man is a social being, and has social feelings; but he is also a selfish being, and has selfish instincts. As there could be no necessity for government without society, there can be no society without government. But the trouble with both society and government has ever been that man's selfish instincts are stronger than his social feelings. Therefore, when men associate for the accomplishment of a common political object, there is a constant danger that a few who can, will use the power of all, not for the equitable benefit of each, but for the advantage of those who are able to get control. Thus, a faction arises within a party; a contest for control of the faction develops a cabal, and a final struggle for supremacy enthrones the political autocrat over all.

Party government seems to be the best means thus far devised for the enforcement of the general judgment of a nation. If this instrument can be permanently and successfully employed by factions and rings and political bosses to further their special and private interests, in disregard of the general welfare, popular government is a delusion and a snare for the people themselves. Let us hope that the power of public opinion is sufficient to hold in check this aristocratic tendency. Otherwise we should no longer claim, with Lincoln, that ours is a "government of the people, by the people, and for the people"; but we should frankly confess that it is a government of parties, controlled by factions,— factions ruled by cabals,— for the spoils of office bestowed by political bosses.

Progress in the science of government has been slow and painful, but it has been gradually for the better, from the dawn of civilization to the present hour. Political bosses and factions may impede it, but they cannot prevent its symmetrical and timely development. "What a dust I do raise," said the fly upon the chariot-wheel. Down through many dynasties of absolute or limited monarchies and of aristocracies, the reign of the one or the rule of the few, have we come at last to representative democracy, the approximate sovereignty of the people.

The law of the century is rapid progress in this direction, in every civilized country. Emancipation, extension of the elective franchise, increase of popular power in legislative assemblies, limitation of executive prerogatives and powers, a more rigid accountability to the people in public administration, are significant and beneficent signs of the times in which we live. Absolutism is dying out, and republicanism is dawning in the Old World. In this country progress has been rapid, if not regular, in the same directions; but its continuance is threatened by the development of monstrous and vicious methods in party control and public administration. These methods are by no means original with us, or new among us, in these days. In so far as they affect public administration, they are coeval with government itself; and they have been resorted to for the control of political parties from the birth of party government. They are an outgrowth of the natural tendency to self-aggrandizement among men. Wherever and whenever a people has submitted to monarchical government, they have been used to strengthen the prerogatives of the Crown against the assertion of the nation's right to govern itself. Whenever the few have possessed themselves of a share in government, they have employed the same forces for the support of aristocracy. When at last the people have anywhere taken the power of government into their own hands, ambitious men whom they have intrusted with it have too often betrayed their trust, and perverted it to factional or private uses.

The spirit of our constitution and laws is English. Our fathers "made" a constitution, but they made it mostly of materials furnished from the storehouse of English history. They rebelled against a lordly "bossism," which allowed them no share in the exercise of sovereignty over themselves; and they endeavored to establish the people in their right to make and administer their own law. For centuries a contest had been in progress, in the mother country, over the distribution of the powers of government between king, courtiers, and people. At every crisis the kingly prerogative had receded, and the popular power of the nation had advanced. In that struggle every prerogative and influence and cunning device had been resorted to to maintain the power of the crown. Dignities, titles, pensions, franchises, patents, monopolies, and all imaginable court favors, were granted or withheld for this purpose. Public offices were

bestowed in perpetuity, and their descent and sale recognized as legal; appointments to public offices were regarded, not as public trusts, but as spoils of the reigning power, to be bestowed where they would do the most to maintain its authority, or to advance the private interests of those who exercised it; and the public money was notoriously and shamelessly used to carry elections and to buy votes in Parliament, in favor of the Government, to hold the people in bonds.

Such, in brief, was the inheritance of example in the use of patronage which we received from the mother country when we set up in government on our own account. If we have followed it and improved upon it in the face of later and wiser teachings from the same, or from any source, the greater our folly, and the more certain and severe the pains and penalties which we must suffer.

How stands the record on our own account? Washington's election to the Presidency emanated from the people, and he was under obligations to no political party for it. There was, however, from the first, a conflict of ideas in regard to the nature of the government which he was to inaugurate. Washington favored a national government, with aristocratic tendencies; it looked to the unity of the nation and it was opposed to the sovereignty of the States. Among his contemporaries were many who preferred a government provincial and democratic in spirit; who insisted on the sovereignty of the States, and supported the theory that the Union was confederate and not national. Hamilton and Jefferson, the most distinguished representatives of these opposing theories, sat in the Cabinet of Washington, which was thus divided against itself. The great debate over this conflict worried the mind of the nation for three-quarters of a century, and the issue was finally settled, as we trust, by the triumph of the national idea in the late war for the Union.

Washington exercised the power of appointment with scrupulous care for the purity and efficiency of the public service, having regard, however, for "political associations, so far as proper." To what extent he considered this principle "proper" may be gathered from what he stated in reference to the selection of an attorney-general. On this subject he said: "I shall not bring a man into any office of consequence, knowingly, whose political tenets are adverse to the measures which the General

Government are pursuing; for this, in my opinion, would be a sort of political suicide." Party lines had not then been defined, and the political considerations which had weight were more patriotic than partisan. This policy was quite generally pursued during the administrations of Washington and Adams. When Jefferson entered the presidential chair, he complained that most of the offices were filled by his opponents. However, Jefferson declared that he would not make removals on account of adverse political opinions; but he held active electioneering against his party to be sufficient cause for change. He considered his election a "revolution," and he esteemed active support of his party a recommendation for appointment, equivalent to service in the war for independence. The last qualification of his rule as to fitness for appointment undoubtedly had reference to this sentiment: "Is he honest? Is he capable? Is he faithful to the constitution?" Still he studied how to place active political supporters in the public service, without offending public opinion, much more carefully than modern Presidents have done. He made comparatively few removals; but he watched anxiously for deaths and resignations to give places to his political adherents. He did not cut to the quick, and slaughter with a broad-ax, as Jackson did, to fill the public service with personal devotees and partisan bushwackers, but he implanted the disease of office-giving and office-seeking, which now threatens the soul and body of our administration of public affairs with the mortal gangrene of the infamous and nefarious "spoils system." For more than two generations this monster has been clawing at the vitals of the republic. No administration, by whatever President, in the name of whatsoever party, has had the patriotism and courage to grapple with it and thrust it out of our body politic. Some have seen the necessity of doing it, and have had the patriotic desire to accomplish it; but their wisdom, their courage, or their strength, has been inadequate to the task; and it seems at the present hour to be as rampant as it was under the iron rule of Jackson himself. No President, no party, not even a single generation of the people is alone responsible for its existence, or chargeable with its continuance. If my views of its origin are correct, its germ lies imbedded in the selfish nature of mankind, and it was planted among us, as a people, before we had existence as a nation. The people themselves share, with their rulers, the infamy of its iniquitous life and doings, and they alone can put it to death.

But in our own time this monster has grown to yet more hideous proportions. Not content with sapping the foundations of government at its center, it has reached out through innumerable radii to the circumference, and it encircles the whole people in its coils. It stretches out through the channels of government to that power which shapes and controls the Government itself. It has proceeded from the legitimate domain of the public service, from the fields of legislation and of executive and judicial administration, into the forum of partisan strife, and there, more than anywhere else, it endangers the citadel of the people's power and saps and mines the public welfare. It controls caucuses and conventions; it dictates platforms, and compels those who are elected to carry them into effect, to disregard them in their places of power; it bribes many with the spoils of office, and it deludes multitudes with false hopes of public place; it corrupts the elective franchise, and it is fast undermining popular confidence in elections by the people; it levies contributions upon the people's treasury, by assessments upon the salaries of their public servants, and it converts the allegiance due from public officials to the nation into political bonds to factions, cabals, and political bosses; it makes common cause with political black-legs to carry elections, and it shields them from punishment for corruption in the public service; it brings obloquy and reproach upon honest and faithful public men, and it too often prostitutes the public press to base partisan uses, and corrupts the public opinion of the land.

If, as Mr. Emerson says, "The history of the state sketches, in coarse outline, the progress of thought, and follows at a distance the delicacy of culture and of aspiration," what will the next age say of our "delicacy of culture and of aspiration," in regard to our political methods, and their application to appointments in the public service? A distinguished senator said to me one day, "Civil service reform is: How to get the other fellow's man out and yours in." Marcy has the distinction of originating in our politics the expression, "to the victors belong the spoils"; but that rule falls far short of the necessities and demands of a genuine political boss. Under that system the *party* was the victor entitled to the fruits of its triumph at the ballot-box; under this new dispensation, the political boss is conqueror, entitled, by right of conquest, to absolute dominion over the political estate, which he may sublet to his partisan helots and henchmen, upon such terms and conditions of serv-

ice as he may choose to impose. No matter how base the services required, this feudal system in our politics breeds multitudes of camp-followers and political tramps, who are willing to take the oath of fealty to any political boss for an office, or a contract, or for a promise of one forthcoming. There is thus raised up under the reign of bossism, as the emergencies of the bosses require, a crop of minor bosses and professional office-seekers, office-brokers, and political contractors, for every political bailiwick. They are expected, and, under penalty of losing the favor of the bosses, are required to "manage" the local politics of the country. They must see that party caucuses are controlled in obedience to the will of the bosses, without regard to the public interests or the general judgment of the party. They must send delegates to conventions who will vote for the platform and the candidates of the bosses, without regard to the opinions or the wishes of the communities in whose behalf they are to act. If a citizen aspires to be nominated for any office at a convention, he must "see" the boss and get "slated" for it, or he may as well pack his carpet-bag and leave for home on the next train. To "see" the boss is to attorn to him as political lord and master, or to indulge in the innocent pastime of being beaten by a slated candidate who will do so. A political convention under this system merely registers the edict of an absolute political dictator; and when at last the honest men of a political party have placed their candidates in power by their votes, they too often find them to be the slaves of political taskmasters, unmindful of their obligations to the people.

Such a system naturally and inevitably leads to maladministration of public affairs. It substitutes the will of the bosses for the will of the people—not only in the selection of their public agents, but in the direction of their public affairs. It therefore leads to aristocracy and tends toward an autocracy in politics, which, if allowed to prevail, will be worse than absolute monarchy. Are the people really incapable of self-government? Is there in human nature a law of self-aggrandizement which, by the courage and strength of natural leaders, united with the cunning of crafty politicians and supported by the instinct of hero-worship among the people themselves, can be imposed upon a republic against the will and contrary to the general interests of the people? The answer depends upon the people themselves. If through centuries of heroic sacrifices they have

at last achieved their sovereignty against the reign of this law, intrenched ever so strongly in the divine right of kings or what not, let us hope they are wise enough and strong enough to resist its encroachments when it is invoked to overthrow themselves on the scene of their triumphs and in the very citadel of their power.

For more than a century and a half after the rise of political parties the spoils system prevailed in England. It was at high tide when our independence was achieved, and its decline dates from that epoch. Political bosses have lived long and they die hard; but they are powerless before the might of public opinion. No century in their history has witnessed greater triumphs for the English people on their way to self-government than the one just closed. They still adhere to the forms of monarchy and aristocracy; but they have substantially achieved the right of self-government. The crown still holds the prerogative of negativing proposed legislation, but it has declined to exercise it for nearly two hundred years. Practically, therefore, the sovereign of Great Britain is less potential in law-making than is the President in this country. In the control of governmental policy and in the administration of the laws of the realm, the English Cabinet has, indeed, the initiatory power; but the people have a negative upon that through the House of Commons, which they no longer fear or hesitate to apply whenever the interests or the public opinion of the nation requires it. If the crown comes to an issue with the Commons, the appeal lies only to a new election by the people. This issue may be made by either party, when, in its judgment, the emergency requires it. In this country there is no such right of appeal against the veto power of a President during his term of office; and as to policy of administration, it can be altered only by the election of a new House of Representatives, which may be powerless for reform against the will of the Senate or the power of the Executive, or the coördinate powers of both. Therefore, I conclude that the Government of Great Britain is now more sensitive to the power of public opinion than that of our own country.

Down to 1853 the power of appointments under the British Government was monarchical or aristocratic. With this growth of government by public opinion a complete revolution has taken place, and now the system of appointments is thoroughly democratic. The poor man's son has now equal opportunity

with the son of the premier to secure office in the civil service on his merits. Appointments by favor are there no longer possible; while in this republican land of liberty and professed equality appointments are still made almost entirely by influence, and that not in obedience to natural aristocracy or worth, but from purely personal, factional, or partisan considerations. In 1871, Mr. Gladstone, addressing his constituents, said: "As to the clerkships in my own office, every one of you has just as much power over them as I have." Shade of Robert Walpole! No wonder that George the Third ordered his yacht to be in readiness for him to abdicate the throne before the onward march of popular empire which he saw approaching, when his ministers refused longer to impede it by executive patronage or the use of public money to hold it in check. If I mistake not the signs of the times, the day is not far distant when our political bosses, no longer able to bolster up their ill-gotten power by public plunder, will cry for a yacht or any means of escape from the indignation of an aroused and long-suffering people.

That a great evil stalks among us under the reign of bossism cannot be successfully denied before the people. Some means for its thorough and final eradication must be speedily found and heroically applied. No class suffers more from it than members of Congress and senators whose ambition is to serve their country intelligently and faithfully. On the other hand, as they view politics, no class gains more by it than those other members of Congress and Senators, who, regarding their highest allegiance as due to their party, their faction, or their own political ambition, devote themselves principally to the sort of civil service reform thus defined: "How to get the other fellow's man out and yours in." As the latter class appears to be more numerous, at present, than the former, reform by congressional action will probably be postponed until public opinion imperatively demands it. Therefore, what is now most needed is organization and labor for the good cause among the people. Let the debate move on in Congress, in the press, on the rostrum, in the churches, colleges, and in country school-houses. Intrenched for two generations in our body politic, the task of uprooting the system and of providing a proper substitute, is not an easy one. It is a work which challenges the wisdom, the courage, and the perseverance of our greatest public men, and of our most patriotic and virtuous citizens. This generation

has now no other so great and important public responsibility cast upon it. Just what should be done, and how it shall be done, are questions about which there are honest differences of opinion among our greatest and wisest men. These will disappear when there shall be a firm, popular resolution that something shall be done. At present I see no difficulty in the way of applying to our case the English system of competitive examination. The eminent success of the experiment in the great offices at New York justifies the adoption of a similar practice in all great departments of the Government. Under existing law, the President may do this, and I greatly wish that President Arthur would do it promptly and thoroughly. The good work began through the Executive in England. Parliament was even more hostile to it there than Congress is here. In my judgment this is the gateway through which the reform must come in, if it is to come soon. If not by President Arthur, let us hope that the people will see to it that it shall be by his successor.

JOHN I. MITCHELL.

SAFETY IN RAILWAY TRAVEL.

We have at present in the United States, in round numbers, one hundred thousand miles of railroads completed and in operation, employing not less than half a million persons, and transporting annually about three hundred and seventy-five millions of passengers. Upon this great system of roads there occurs upon an average each year one thousand more or less serious disasters to trains in motion, either from collision, derailment, or failure of roadway bridges or rolling-stock, by which two hundred and fifty persons are killed, and a thousand more receive injuries more or less severe. But the number of persons killed and injured by accidents affecting directly the trains in motion does not amount to over twelve per cent. of the whole list of killed and wounded which is chargeable, directly or indirectly, to the railroad system. As far as we can obtain information from the exceedingly incomplete returns in this country, the whole number of persons killed and injured each year is not less than ten thousand. Of this number only about one-half are connected with the railroads, either as passengers or employés; the other half being injured at railroad crossings, or by walking upon the track, or about station grounds, one-third of the whole number injured being returned as "trespassers." Of the whole number who, if the expression may be used, are injured legitimately, *i. e.*, passengers and employés, one-third are passengers and two-thirds are employés. Of the whole number of passengers suffering from accidents, something less than one-half are injured from causes for which the railroad companies are more or less responsible, while something more than one-half are injured by accidents for which the passengers themselves are alone accountable. Of the whole number of accidents to individuals, a little less than one-half are fatal; of accidents to employés about

forty per cent. are fatal; while about twenty-five per cent. of the casualties to passengers are attended with loss of life. Of the whole number of persons injured in a year, therefore, less than ten per cent. are passengers for whose injuries the companies can be held to blame; and of the whole number killed not over five per cent. are passengers for whose deaths the companies can be considered accountable.

To see how immeasurably superior the railroad is in point of safety to all other modes of transportation, we have only to compare the number of casualties with the number of persons transported. It will, of course, be understood that all such comparisons are of the roughest kind, especially in this country, where no system exists for collecting or preserving any uniform data in regard to railroad operation. Of the 375,000,000 persons annually carried over the railroads of the United States, about 1800 meet with injuries more or less severe, while 460 are killed. Of the above numbers, 800 of those injured and 200 of the killed may be charged to causes for which the railroad companies are to a greater or less degree responsible, while the rest of the casualties are due to the carelessness of the passengers themselves. For every railroad passenger, therefore, who is killed in the United States, over 800,000 are carried safely; while for every passenger for whose death the railroad companies are accountable, nearly 2,000,000 are safely transported. For every railroad passenger who is in any way injured, 200,000 are safely carried; while for every passenger injured by causes for which the companies are responsible, nearly 500,000 are transported without accident. In Massachusetts—where the records have been more carefully and more systematically kept for the past ten years than in any other part of the country—the number of passengers carried in that time was, in round numbers, 400,000,000; of which number 581 were injured, 132 of them fatally. Of the whole number 250 were injured from causes beyond their own control, the remainder suffering from their own lack of care. Thus, for every passenger in any way injured, 688,000 were safely carried, while for every passenger killed 3,000,000 in round numbers were transported without injury. If we consider only those who were killed or injured from causes over which they themselves had no control, the results are somewhat different. Thus, in Massachusetts, during the nine years from 1871 to 1879, the number of

passengers carried was 303,000,000, of which number 51 were killed by causes beyond their own control. For every person killed, therefore, 6,000,000 were safely carried. As the average distance traveled by each person was about 15 miles, the total distance traveled by all before death happened to any one was 90,000,000 miles. In other words, a passenger with average good luck would travel at the rate of 60 miles an hour for 10 hours a day, for 300 days in a year, for 500 years, or he would go 3600 times around the earth, before getting killed.

It has been stated on good authority that there were actually more persons killed and injured each year in Massachusetts fifty years ago, through accidents to stage-coaches, than there are now through accidents to railroad trains, notwithstanding the enormous increase in the number of persons transported. From the statistics of over forty years, in France, it appears that, in proportion to the whole number carried, the accidents to passengers by stage-coaches in old times were, as compared to those by railroads, as about sixty to one. The official returns in France actually show that a man is safer in a railroad train than he is in his own house; while in England the figures show that hanging is thirty times more likely to happen to a man than death by railroad. It is stated by Mr. Adams, in his "Notes on Railroad Accidents," that the annual average of deaths by accident in the city of Boston alone exceeds that consequent on running all the railroads of the State of Massachusetts by eighty per cent., and that, in the five years from 1874 to 1878, more persons were murdered in Boston than lost their lives on all the railroads of the State for the nine years from 1871 to 1878, though those years included both the Revere and the Wollaston disasters, or fifty deaths. Such facts go far to prove the statement made thirty years ago by Dr. Lardner, that "of all means of locomotion which human invention has yet devised, railway traveling is the safest in an almost infinite degree"; and the equally forcible statement of Mr. Adams, that "it is not the dangers, but the safety of the modern railroad which should excite our special wonder."

True as the above certainly is, it is still the fact that hundreds of persons are killed and wounded by terrible catastrophes upon our railroads every year, and that trains crash into each other and plunge through bridges, while whole car-loads of passengers are crushed and mangled, drowned, and burned to death.

It is equally the fact that by far the greater part of these disasters can be prevented, if we care to do it. By far the larger portion of the so-called accidents are not accidents at all, but are the natural and inevitable result of laws perfectly well understood. Safe as railroad travel already is, it is not safe enough if it can be made safer. That it can be made safer admits of no question. To understand the various causes of disaster is the first step to be taken.

The various so-called railroad accidents may be divided into four classes. First, injuries to persons in no way properly connected with the railroads, either as passengers or employés; second, injuries to the hands employed on the trains or about the roads; third, to passengers who suffer from their own want of care; and, fourth, to passengers who are injured by causes for which the companies are plainly accountable. The proportion between these several classes in Massachusetts, for the ten years from 1872 to 1881, was:

Whole number of persons injured	3095
Not directly connected with the roads	1415
The companies' employés	1108
Passengers injured through their own carelessness	322
Passengers injured by causes beyond their own control	250

Looking in detail at the first class, which makes a little over forty-five per cent. of the whole, we find that of the 1415 injured 1043 are returned as "trespassers," while the remaining 372 were injured at highway crossings and at stations. A little over one-third of all the casualties in Massachusetts are due to persons improperly walking, playing, or lying drunk upon railroad tracks; persons for whose injury the railroad companies are not in the slightest degree to blame. Indeed, the companies take every possible precaution to warn people away from their tracks, while the State adds its authority by the enactment of laws against this sort of trespass. But the free-born American citizen seems to regard it as one of his privileges to be killed upon railroad tracks, and resists any attempt, either on the part of the railroad company or the State, to interfere with his rights. Indeed, a few arrests, which were at one time made, of trespassers upon railroad tracks, were promptly followed by obstructions placed on the track by the aggrieved parties. There seems, therefore, but one thing to be done in regard to this most fruitful of all causes of injury, viz.: to warn the

public plainly, thus throwing the whole blame upon the victims. This the companies already do. It might be practicable to patrol the track in certain places, as is already done in the case of some bridges; but this remedy would be of only limited application.

With regard to the 370 persons injured at highway crossings and at stations, these cases, too, are in nearly every instance chargeable to the victims themselves, as town and city crossings are carefully guarded, while at the country roads suitable warning is always provided. It is, perhaps, a peculiarity of American railroads that the highway crossings are generally at grade, even in the midst of the larger towns and cities; and at a very large number of these crossings the trains pass at high speed. It might be supposed that the public would insist upon overhead crossings at such places, as the expense of such would fall upon the companies; but the reverse is almost always the case. The public prefers the risk of accident to the inconvenience of the grade in the highway.

To pass to our second division, injuries to employés, we find the following causes recorded during the ten years from 1872 to 1881, in Massachusetts: Coupling cars, 322; overhead bridges, 99; train accidents, 128; falling from trains, 159; locomotive explosions, 14; other causes, 287. Of the accidents to employés, therefore, at least two-thirds are due to the carelessness of the persons injured; and when we notice the reckless manner in which the hands employed about the stations in making up trains expose themselves, the only wonder is that the number injured is so small. The large proportion of casualties chargeable to coupling cars would seem to point to the desirability of a good self-coupling device, or at any rate to a coupling which would not require the train-hands to stand between the cars. With regard to overhead bridges, while it might perhaps be feasible to require all new structures to have a height sufficient to allow the brakeman to pass under them while standing on top of the car, it would hardly be practicable to require this of the large number of the older bridges. In such cases the ordinary guard on each side of the bridge, arranged to warn the brakeman in season, should be provided, and, what is not less essential, should be kept in good order.

We come next to injuries to passengers, and we find at the outset that more than half of all such casualties arise from lack of caution in the passengers themselves; and in almost every

case this lack of caution consists in getting on or off the cars, or in passing from one car to another when the train is in motion. This is done in spite of the warning given by the companies. Indeed, as a general rule, when the officials have endeavored forcibly to remove passengers from this source of danger, the latter have felt themselves very much aggrieved. Many of the regulations upon European roads seem to assume that the traveler has something less than average common sense, and would certainly not be tolerated in this country. The ordinary traveler in the United States "reckons" that he is big enough to look out for himself, and as a general thing he certainly is, and he would be pretty sure to object to a rule which should prevent his passing from his seat in the Pullman to the smoking-car while the train was in motion. Tell him, if you like, that by so doing he runs one chance in a million of being killed, and quite likely he would reply that he would take that chance; and there may be no objection to his doing so, having it, of course, understood that he alone is responsible in case of injury.

To come to our last division, viz., passengers killed or injured by causes for which the companies are more or less to blame, we find that, in a total throughout the United States for the nine years from 1873 to 1881 inclusive, of 9523 accidents, 2980 were from collisions, 1169 from defects of roadway and bridges, 673 from defects of rolling-stock, 844 from negligence in operation, and 1287 from various unforeseen occurrences, while 2031 were unexplained. It is worthy of notice that of the above total of 9523 accidents about 6000, or nearly two-thirds of the whole number, were unattended by either death or injury; while less than one-sixth were productive of death. Looking a little more in detail, we find the following facts in regard to collisions. We divide these catastrophes into three classes, the first being where one train runs into the rear of another, the second where the trains come together head to head, and the third where trains meet at railway crossings. The number of collisions for nine years throughout the country has been as follows:

Year.	*Rear.*	*Head.*	*Crossing.*	*Year.*	*Rear.*	*Head.*	*Crossing.*
1873	187	102	31	1878	142	70	7
1874	131	87	19	1879	206	86	17
1875	141	104	18	1880	274	141	22
1876	159	94	15	1881	366	146	24
1877	159	96	13				

Of various other causes, we find the following:

Year.	Defects of Road.	Defects of Machinery.	Neglect in Operation.	Unforeseen Accidents.	Unexplained Accidents.
1873	167	73	101	152	315
1874	129	63	93	141	218
1875	206	100	100	207	222
1876	125	76	108	160	185
1877	118	66	85	131	177
1878	72	41	65	125	175
1879	94	66	90	113	192
1880	89	64	98	108	237
1881	169	124	104	150	310

The length of time covered by the above tables is too short, and the general character of railroad statistics in this country too unreliable, to admit of drawing any very general conclusions from these figures. We cannot, however, help noticing the very decided increase in the number of accidents in 1881—an increase which cannot be accounted for by the new roads brought into operation during that year. The number of collisions during the past three years shows an increase much greater than the length of new roads or the augmented amount of traffic would seem to warrant. This is in accordance with the general principle that the danger of collision increases as the square of the number of trains; if we double the number of trains, we quadruple the chance of collision. This form of accident is always sure to follow any considerable increase in the volume of traffic, and the only remedy is to be found in more precise methods of moving trains. A system like the old schedule plan for running a few trains upon a single track road, will do for a while, and, under careful management and good luck, will allow of a certain amount of growth in the traffic; but there comes a time when the number of trains demands, not an extension of an old system, but a new and a different one. Railroad trains have entered and left the Cannon Street Station in London at the rate of over one a minute for eighteen successive hours. Such work could never be done by the mode in use at American stations, where a few men run about from switch to switch; but it is made perfectly easy and safe by the interlocking system of switches used in England. The rapidly increasing number of collisions would seem to show that the present system of controlling the movement of trains is becoming outgrown. Just as soon as this fact is fully recognized, we may be sure that American ingenuity will

supply what is needed in the shape of an improved method. None are so vitally interested in this matter as the railway companies, and very few serious disasters can occur without producing the necessary change.

Closely connected with the subject of collisions are two very important points. Many of the worst disasters of this kind would have been prevented altogether, and others rendered much less fatal, had the trains been equipped with a suitable system of brakes. The immense advantage of a brake like that of Westinghouse is now so well recognized that no argument in its favor is needed. There are hundreds of cases where the whole safety of a train depends upon whether it can be stopped within five hundred or one thousand feet. It seems almost incredible that a heavy railroad train running at a rate of fifty miles an hour can be stopped in fifteen seconds, and in a distance of less than seven hundred feet; but it can be done, and if it had been done, by far the larger part of the worst catastrophes we have had during the past twenty years would have been prevented. The next best thing to stopping the train before a collision or a derailment takes place, is to make the cars in such a manner as to resist the tendency to crushing. The railroad train of twenty years ago was a loosely connected collection of badly made carriages, admirably designed to double up and slide over one another, and crush the passengers by the operation known as "telescoping." The train of to-day consists of a firmly made line of well-built carriages, so connected that telescoping is almost impossible, and able, if occasion demands, to resist very considerable shocks. The old train was a series of blocks of various shapes and sizes, arranged in a somewhat crooked line, and utterly unable to resist any great amount of compression without doubling up. The new train is like a straight and continuous, but somewhat elastic beam, which requires great force to destroy it. It is not too much to say that the Westinghouse brake and the Miller platform and coupling together would certainly have prevented three-fourths of all the injuries from collisions that have occurred in this country for the last twenty years.

Looking at the second of our tables above, we find that accidents from defective roadway and defective machinery make full as bad a showing during the past few years as those from collisions. Indeed, there has been a regular increase since 1878, the number of accidents, the number killed, and the number injured

having doubled since that time—a result by no means referable to the increased length of road or the increased amount of traffic. An examination of the accidents from broken rails, of which five hundred and fifty-nine have been recorded during the past nine years, shows that these occur much oftener in cold than in warm weather, and more frequently in severe than in mild winters; the accidents for January, February, and March during the above time numbering three hundred and thirty-three, while the number for July, August, and September for the same years was only fifty-two. Rails break in cold weather from various causes. In badly ballasted and badly drained road-beds the track is much more unyielding in winter, and the shocks upon the rails much greater. It is also well known that iron containing any considerable amount of phosphorus is very liable to break under a sudden shock when the weather is cold. Rails made of good iron do not break in winter, no matter how severe the cold. In Scandinavia, with a climate more severe than that of America, accidents do not occur from broken rails, simply because in that country none but the best iron is laid upon the railroads. Good iron laid upon a well-drained and well-ballasted road-bed will save nearly, if not quite, all of the disasters from broken rails.

We come now to a class of accidents which are, perhaps, more fatal than any others—the breaking-down of bridges. In these catastrophes all horrors combine—crushing, mangling, drowning, and burning, and here again our record is not at all encouraging, the number of bridge disasters in the United States for the past nine years having been as follows:

1873	1874	1875	1876	1877	1878	1879	1880	1881
19	33	26	20	21	21	17	16	43

If we left out the first and the last of the above numbers we might flatter ourselves that a gradual improvement was taking place; but what are we to say of the forty-three disasters in 1881, which seems to be the worst year we have ever had, and this in spite of the fact that we have been all the time improving our knowledge and our practice of bridge-building, and that we certainly know more about such work now than we ever did before.

Railroad bridges, whether of wood or iron, can be so made as to be entirely safe under all ordinary conditions of service, and they can be kept under such inspection that no element of

danger shall be allowed to develop itself. While, however, our larger roads, as a general thing, buy good bridges and keep them under rigid inspection, many of the smaller roads buy very poor bridges and keep them under no inspection at all; for the examination of an iron bridge by the ordinary road-master, or the walking over these structures by railroad commissioners once a year, can hardly be regarded as inspection. The Ashtabula bridge, which broke down in 1876 upon the Lake Shore Railroad, killing over eighty persons, fell, it is stated by the legislative committee appointed to investigate that disaster, "under an ordinary load, by reason of defects in its original construction, which defects would have been discovered at any time after its erection by careful examination"; and the report adds: "The bridge was liable to go down at any time during the past ten or eleven years, under the loads that might at any time be brought upon it in the ordinary course of the company's business, and it is most remarkable that it did not sooner occur." Half an hour of competent and honest inspection would have condemned the Ashtabula bridge upon the day it was finished.

The Tariffville bridge—which fell in Connecticut in 1878, killing thirteen persons and wounding thirty-three more—is not an unfair specimen of a large class of wooden bridges in use to-day upon American railroads. In point of design, proportions, dimensions, and reputation of its builders, it was fully up to the average of such structures. It had been periodically inspected and pronounced all right. While no competent expert would ever have pronounced it a first-class bridge, no person could say from looking at it that it was not able to carry the ordinary railroad train safely; but when the right combination of circumstances came it fell, and exposed the hidden defects that caused the disaster. Though nominally a wooden bridge, like all such structures, it relied entirely upon iron rods to keep the woodwork together. These rods, it is reported, when tested, broke with a single blow of a hammer, very much in the manner of cast iron, and showed a very inferior quality of material. This was a defect which no ordinary inspection would detect, and one which may exist to-day in hundreds of bridges now in use upon our roads. We have in this country no system of control or inspection which can prevent the building and the use of exactly such bridges as that at Tariffville.

It may be asked if any railroad company—being, of course, aware of its liability for damages—will knowingly allow a defective structure to be made or used upon its road. It is perhaps hardly fair to say that such things are done knowingly, but they are certainly done heedlessly, and the result is the same. Not less than half of the wooden bridges made upon our railroads—and on many of our best roads, too,—are built by mere carpenters, who can do just one thing—perpetuate the blunders they have been brought up to. Not one-half our wooden bridges have ever been subjected to any computations whatever, but have been proportioned by a kind of guess-work; based upon a greater or less degree of experience, it is true, but experience of a very unsystematic kind. Add to this that nearly all of our older bridges were designed for trains and engines much lighter than those in present use; that there are many disreputable concerns which build very poor and unsafe iron bridges, and railway directors willing to buy such things because they are cheap; and, finally, that we have no efficient system of inspection, and we need not wonder that twenty-four bridges, on an average, break down every year. At the same time, we must bear in mind that there is no need for this class of catastrophes; that any company can at any time buy a bridge of a first-class concern, which shall be guaranteed absolutely safe and permanent by the very best authority.

We can have as much safety as we choose to pay for. As a general thing, the managers of our larger roads are well aware that they cannot afford to run any very great risks; they are intelligent, they are progressive, they are liberal; and we need no better evidence of the skill and care with which railway traffic, on the whole, is carried on, than the fact that not one passenger in a million is killed in this country by any cause for which the companies can be held to blame.

Except in one or two States, we have no system of public inspection which has ever been able to detect the weak points in a railroad, or to prevent disasters; and, considering the form of our government, it is quite doubtful if we ever shall have. The way, however, to all desired improvement is very plain, if the public and the companies care enough about safety to exert themselves to get it. We have already seen that the public is itself accountable for by far the larger part of the injuries, and to that extent it must mainly rely upon itself for

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Tros Tyriusque mihi nullo discrimine agetur.

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ENGLISH VIEWS OF FREE TRADE.

THE Cobden Club held its annual meeting recently in London. Lord Derby presided, and made the speech* of the evening on Free Trade, the only subject admissible on such occasions. It was worthy of the reputation of this distinguished nobleman, who is one of the foremost statesmen of England. His speech is remarkable for its ability, as well as for its ingenuous admission that all the other nations of the world, together with the colonies of England, excepting New South Wales, are protectionists. Lord Derby's despondency is somewhat abated, however, by the action of the Finance Minister of India, who has recently taken a step which Lord Derby considers wise, although bold, and which has "produced in India a nearer approximation to free trade than exists anywhere except in England." India being controlled in Downing Street, it is apparent from Lord Derby's statement that the doctrine of free trade has its home only in England; and the inference is certainly a fair one—from the industry of the Cobden Club, whose publications† are sown broadcast throughout the world, and always so timed, in the United States at least, as to be in advance of the elections—that the material interests of England are largely dependent on the

* Published in "The Rochdale Observer," July 8, 1882.

† Total number since January, 1881, 922,860. See "Annual Report," 1881–82.

spread of this doctrine in other parts of the world. It is well, therefore, that we understand precisely the conditions which exist in England, so that we may know what it is which prompts the extraordinary zeal shown for the propagation of a doctrine so dear to her people, a doctrine which, according to Lord Derby, is more powerful and more salutary in its influence on mankind than religion. He says, "There is nothing more certain than this, that the great preventive of war is trade. Religion has not served to check wars; they never were more frequent or more barbarously carried on than in the ages when faith was unshaken, and when every man was a believer. Forms of government have not sufficed to check war, for we have seen democracies as pugnacious as governments of any other character, and I am afraid that we can hardly contend that even the general increase of intelligence has done much to make men peaceable. But, if you so connect two countries that neither can injure the other without equally injuring itself at the same time, you have not, indeed, a perfect guaranty against quarrels, for that is impossible, but a better guaranty than any yet devised." One must not assume, from what Lord Derby has here said, that all the wars which England has entered upon to get trade were not justifiable, but that, as she laid her strong hand upon province after province, and opened her trade with them, they became possessed ever after with the tranquillity and gentleness of the lamb.

Great and enthusiastic teachers are apt to hold extreme views. The late Henry C. Carey, whose reputation is co-extensive with the world as a teacher of protection, ascribed even more astounding results to his favorite theory. He has more than once asserted that protection is a universal remedy for all social evils. Adopt it universally, he said, and, with the bettered condition of mankind, ignorance, intemperance, and vice generally, will disappear.

The mission of England is to spread the knowledge of her great panacea for the healing of all nations,—Free Trade. There can be no doubt of the sincerity with which the doctrine is propagated. Experience has long since taught it as a truth that there is no influence more powerful on the human mind than that which is held to be the basis of material prosperity. Free trade being essential to the prosperity of England, and its adoption in other countries of great advantage to England, one may freely admit that it is not strange that the great interest at

stake may readily control the minds of the people of England, and particularly the minds of her statesmen.

The condition of England is peculiar to herself. Her land is in the possession of very few persons. Four hundred and twenty-one individuals hold 22,880,755 acres, or more than one-fourth of the United Kingdom. Twenty-one hundred and eighty-four individuals hold 38,875,522 acres, or more than one-half.* Sixty-six per cent. of the population are said to be urban, thirty-four per cent. rural. The agricultural products are equal to the support of the population (36,000,000) for six months in the year. Her dependence for food for the other six months is on the return for her manufactures sold to other countries, her commerce, the earnings of her shipping, and the income derived from her investments in foreign lands. The main dependence for the prosperity of England is on her relations with other countries, and as these are maintained through her manufactures and shipping, it is absolutely necessary that wages and materials shall be kept at a minimum price, so as to enable her to produce and to carry at a lower cost than other countries. The necessity growing out of the condition of England is that no duties shall be levied on food, on which her population is absolutely dependent, nor on cotton, wool, silk, jute, and the many other raw materials which are the bases of her manufactures, and on which she is equally dependent for the means of supplying that food.

"Fair Trade," which is the system advocated by the English landowners who desire protection against foreign agricultural products, Lord Derby says, "is a ghost only, and not a reality." "Protection cannot be revived, because the artisans, the town population—those who are not concerned in agriculture—are not in the least likely to submit to a tax on food, and taxing raw materials would be simply injuring our own industries." Free trade in these articles is a necessity, and not a matter of choice. Is not, then, free trade a misnomer, and does not the practice of England under that name come in as a necessary part of a system of protection which prevails through all the ramifications of the Government of England, and has for its end the welfare of her subjects? Why a parliament, an army, a navy, a diplomatic and consular service, titles of nobility, laws of primogeniture, a national church, free education, telegraphic and postal monopolies, fortresses, harbors, lights, and a thousand other things, all parts

* "Financial Reform Almanac." London, 1878.

of a great and glorious whole which has raised England to the proud pinnacle on which she rests among the other nations of the world? The whole system is a development of ages of thought by the mind of England concentrated on the welfare of the nation.

Lord Derby well says: "When discussing free trade, there is a wide field of thought on which I do not care to enter, but which deserves serious attention. We are constantly calling on the State to control and regulate our relations with one another more and more closely: how long people are to work, how they are to be taught, what they are to drink, what sort of houses they are to live in—in all these matters, and many others, we are perpetually calling on Parliament to interfere;" and again, "I am not arguing that that tendency is wrong; it is a vast question, but I think its indirect effect is not favorable to free trade; for the principle on which free trade rests is that of the sufficiency of the individual to attend to his own interests, and it is natural for the untaught man to ask, if the State can manage men's business for them, in many departments of life, better than they can manage it themselves, why is trade to be the exception?" Here Lord Derby has stated the question with candor, and were it not for the atmosphere surrounding his lordship, where its natural elements are surcharged with the material interests of England, he would have gone on and said that the principle carried out legitimately would restore the days when might was right, and the few lorded it over the many, or, in other words, a state of barbarism. The assertion that free trade is a science was never more successfully shown to be absurd than Lord Derby has shown it to be, perhaps undesignedly, in the passage just quoted. It is nothing more than a deluding name for a policy which suits the present circumstances of England. As practiced there, it is necessary for the existence of England, and, so far as other countries may be deluded by the teachings of the Cobden Club, the interest of England will be advanced, for intense anxiety now prevails there that the present markets for her manufactures shall be enlarged and new ones opened. It is for this purpose, and this purpose alone, that the Cobden Club exists.

Lord Derby's statement, that New South Wales and India are the only two bright and encouraging points in the universe, accounts for the zeal and perseverance with which the Cobden

Club continues its efforts to enlighten the people of the United States. So cosmopolitan are we, and so many in our seaport cities are dependent on their English business, that one must not be surprised if, on this side of the Atlantic, it meets with no little aid.

As there is no other identity between the condition of the United States and that of England than a common language and a common religion, it is quite reasonable that each nation should adopt a system of government, and of intercourse with other nations, to suit her own circumstances; and it is equally reasonable that their methods should differ, even should there not be a necessity for so doing, which necessity, in our case, may readily be shown to exist. Each nation has her own peculiarities, and each has her own aims. Our aims are the good of the whole, and the nearest approach which can be made to the welfare and happiness of each individual. With us the individual is the center of interest and the source of power, and rulers are created by the people merely to execute laws designed to secure to each individual the greatest possible participation in the good things of this world. Our traditions all tend to one point, and that is, that each individual is entitled to equal privileges.

The United States cover a vast territory, with a population of fifty-two millions, increasing with amazing rapidity. They compass every variety of climate and soil, with vast stores of minerals and mineral oils. Their increase in wealth and productiveness is beyond precedent. Their national debt, which in 1866 was two thousand seven hundred and fifty millions of dollars,—the cost of the abolition of slavery,—is now one thousand six hundred and seventy-five millions,* or a reduction of one thousand and seventy-five millions of dollars in sixteen years, the reduction of the last fiscal year alone being one hundred and fifty millions. One hundred and ten thousand miles of railroads have been constructed and equipped in an incredibly short time, at a cost of about six thousand millions of dollars.† Twenty-seven States are now competing with Pennsylvania in the manufacture of iron. In 1881‡ the product of pig-iron was 4,641,564 tons, the yield of seven hundred and sixteen furnaces, one-third of which were out of blast, scattered through twenty-eight

* National debt of England, $3,843,518,460, and nearly stationary.

† Railroads in England in 1880, 17,915 miles, costing $3,000,000,000.

‡ "Annual Report American Iron and Steel Association," June 15, 1882.

States. The first steel rails were made in England in 1855, and in this country in 1867. In March, 1868, their current price was $174 per ton. The price has fallen annually in proportion to the increase of our manufactures, until now steel rails are sold at $45, and sales have been made as low as $42 per ton. In the meantime our production has reached 1,188,000 tons for 1881, being greater than that of England by sixty thousand tons. Before the 1st of August, 1882, Colorado, from her own mines, with her own furnaces, converters, and rolling-mill, has produced and laid ten miles of steel rails.

Had the United States continued dependent on England for this article, will any one pretend to say that the product would have been what it is, and that the prices would have fallen as they have done? It is claimed that we can buy what we produce of various kinds cheaper elsewhere than at home. The preceding illustration ought to remove that impression, for, however true it may be, when the prices in foreign markets are compared with our own, what would be the condition of those markets, were an annual demand made upon them of even one-fourth of our present production?

Other manufactures, of cotton, wool, silk, etc., increase with a like rapidity, and, what is of peculiar interest, they are springing up in great numbers in the South and West, and their products are to be found side by side with those of the Eastern and Middle States, competing successfully in all the great central markets. Nothing need be said of the vast productions of cotton, cereals, cattle, etc., which are swelling in their extent every year. What is now being done through the length and breadth of our land shows the fruits of a system which was very dear to the hearts of the founders of the republic,—a system which was to make the people prosperous and the nation independent.

The protective system may be called, very properly, a system of high wages, because it excludes, within certain limits, foreign competition. Its very purpose is the protection of the people. High wages means the circulation of money among the people. As the circulation of the blood, of the sap, of the air, of water, of light, of heat and cold, of electricity, of intelligence, and of loving-kindness, works out the highest results in nature, so does the circulation of money in a community. It tends to raise the lower strata in the social system, and gives to them the advantages they are entitled to, and which they do not elsewhere enjoy to

the same extent. It is asserted that the advantages claimed by us for the workingman are not realized—that high wages produce a high cost for the necessaries of life, and, consequently, that the workingman is no better off here than elsewhere. Let any one make a critical examination, and it will be found that the American workingman's food is much cheaper, that the substantial clothing which he uses costs no more, and that, in the education of his children, in his associations and in his dwelling, he has great advantages over the workman of foreign lands; and that the frugal, prudent workman here invariably accumulates property and acquires a respectable social position. The trustees of the Peabody Trust, in their report for 1881, say that their buildings in London are composed of 2787 separate dwellings, which are occupied by 11,450 persons; that the average weekly earnings of the head of each family in residence at the close of the year were £1 3s. 7¾d. or $5.90. The tenants are all working-people of respectable character. Can an equal number of the same class in any city of the United States be found whose average earnings would not equal one-half more?

One of the *ad captandum* objections to our system is that it favors monopolists, and this is constantly repeated in language as vulgar as it is inaccurate; "that it is these monopolists who rob the workingman of his hard-earned wages, in not permitting him to buy in the cheapest market." The latter objection has already been met. But is it not absurd to speak of one as a monopolist who engages in a business in which any one, or all, of the fifty-two million inhabitants of this country, may compete with him, and not only so, but also the inhabitants of all other countries who may be inclined to settle by his side? It used to be that the kings of England granted monopolies, but that power no longer exists. Under our patent laws and those of other countries, monopolies are enjoyed as a reward for the exercise of inventive genius, but only for a limited time; and by what have the several countries benefited more?

With all the advantages our manufacturers are said to have, such has been the competition among them that they have not been more successful, as a class, than their neighbors of other callings. No such fortunes have been accumulated by them as were amassed by the manufacturers of England, with the world as their market, before their success awakened foreign rivalry. So enormous was their capital that, for a while, wherever infant

efforts were made to introduce machinery, that market was surfeited, in order to break down all rivalry. With the growth of capital, here and elsewhere, that policy is now seldom resorted to. Nevertheless, at this moment there is not to be found on the surface of the globe a nearer approach to a monopoly than the combined power of the manufacturers of Free Trade England, and the Cobden Club is the representative of that power. Were the wit of the United States not equal to their own protection, they would soon feel the baneful influences of the exercise of that power.

Our farmers are the objects of the deepest solicitude and sympathy on the part of the Cobden Club. "It is distance (colored by self-interest) lends enchantment to the view." Through Mr. Mongredien's pamphlet, of which it boasts of having sent fifty thousand copies to this country, our farmers have been told how much better they would thrive if free trade were the policy of the United States; but Thomas H. Dudley, Esq., of New Jersey, J. W. Hinton, Esq., of Wisconsin, and other writers, have shown to them Mr. Mongredien's fallacies, and they well understand that they, of all others, are enjoying the benefits of a system which has developed the country so rapidly that, by the construction of labor-saving machines, the cost of their crops is reduced one-half, and that through the facilities of transportation, a uniform and abundant currency, and a diversified industry, the most distant districts of our country have ready markets at prices but slightly lower than those commanded by the products of the costly lands on our eastern slope. Lord Derby says: "Western farmers will not always pay tribute to Eastern manufacturers." This is true. The manufacturers of their immediate neighborhood are rapidly superseding those at a distance. Were it not so, the Western farmers know well whose enterprise and capital were instrumental in opening the West for them, and enabled them to settle and prosper where it was thought the hum of industry would not be heard during this century. Nor are they ignorant of the fact, which is possibly unknown to Lord Derby, that no other calling has been so largely benefited as theirs by the action of the Government. One hundred and ninety-eight million three hundred and forty-six thousand acres of our best land have been granted for the construction of railroads, and four million four hundred and five thousand acres for the construction of canals, all of which railroads and

canals are in the Western and Southern States; nor are these all, for the same munificence has been bestowed upon them for educational purposes in the grant of sixty-eight millions of acres for common schools, one million two hundred and sixty-five thousand acres for universities, and nine million acres for agricultural colleges, making a total of two hundred and eighty-one million sixteen thousand* acres of land, or nearly four times the area of the kingdom of Great Britain and Ireland, which contains seventy-two million one hundred and nineteen thousand nine hundred sixty-one acres.†

The great tide of immigration which is rolling toward the West proves conclusively that no farmers thrive as do the farmers of the United States, and that they, in common with the whole community, are benefiting by a system which is as nearly universal in its influence as any which has yet been devised.

"As to what is said about providing a variety of occupations," Lord Derby says, "that is a plea which one can hardly suppose is seriously urged." On his Lordship's princely domain, which consists of sixty-four thousand acres,‡ chiefly in Lancaster, may we not find a doctor and an apothecary, a lawyer and a divine, a tailor and a shoemaker, a butcher and a baker, a grower of wheat and a grinder of wheat, spinners of cotton and spinners of wool, and men of many other callings? No economist will dispute the great benefits which are derived from the close proximity of the producer and the consumer. His Lordship is so good a manager that it may be doubted whether any of his products go beyond his tenants to find consumers, unless it be that portion of the game from his preserves which he distributes among his friends. It is one of the cardinal principles of the protective system to encourage home production and home consumption, for they insure to both parties the greatest advantage.

Under the free trade theory, independence of other nations is not to be aimed at! Lord Derby says, "the wish that a country should produce within itself all that it requires may sometimes be due to an exaggerated caution." If, in the Providence of God, we are possessed of every variety of soil and climate, of all kinds of minerals, of a people who can work intelligently and use their products advantageously, and are willing to spare to others what

* "American Almanac" for 1882.

† "Financial Reform Almanac." London, 1878.

‡ "Financial Reform Almanac." London, 1878.

they cannot use themselves, there ought to be stronger reasons than Lord Derby and his associates of the Cobden Club have ever urged why we as a people should forego the great advantages which have been conferred upon us, and not so control them that, while we promote the good of all, we provide especially for the welfare of the humblest.

Under the protective system there is the least possible occasion to send our products out of the country, and consequently our country is subjected to a minimum of drain upon her strength. Like the owners of the Devonshire Meadows in England, who will allow only oxen designed for the shambles to feed upon them, so that no more than their accumulation in weight shall be taken from the land, so does a true economic principle, embodied in our protective system, secure to us the greatest possible advantages.

While our system has given to us great prosperity on land, its effect on our shipping interest, outside of that engaged in our coasting trade, has been decidedly unfavorable. This industry is unprotected, and has to contend with the low wages which prevail in all other maritime nations. The cost of constructing our vessels, and that of sailing them also, is greater by full one-fourth — the equivalent of the difference in wages. Congress has not met this question as it ought to have been met, probably because the demand for capital and labor on land has been greater than the supply, and the superabundance of foreign shipping has been more than equal to the requirements of trade. As a nation we have not suffered, for both our capital and our people, withdrawn from the sea, have found more profitable and more congenial employment on the land in the railroad service, which is the most marvelous and attractive feature in the industry of the present age.

Sir Charles Dilke, M. P., another speaker at the Cobden anniversary, said: "I am convinced that protection has had a most grievous effect upon the political and social condition of the modern world. Russian nihilism, German social democracy, and French anarchism, are, in a high degree, the children of protection."* Lord Derby and the Cobden Club proclaim that Free Trade is superior to religion in spreading "peace on earth

* Why has Sir Charles made no allusion to his own countrymen, born and bred in the land where the *religion* of free trade prevails, and who, in this country, prove to be the most radical and are among the most troublesome?

and good-will toward men." Sir Charles ranks protection as among the agencies of the Devil. In asserting this he little thought that the men who in other countries exhibit these various satanic phases in their struggles for liberty of conscience and personal liberty, need only to be transplanted to a country where protection exists as it does here, where it and all its surroundings are but expressions of the will of the people, and they at once become the sustainers of law, and active in the pursuit of those advantages which are the rewards of industry. The waves of immigration now setting over our land contain many a soul, hitherto harrowed by oppression, and they, like the refugees from persecution in the last century, will find happy homes here, having nothing to excite other than grateful feelings toward a government whose purpose is to secure to all its citizens the advantages of the most perfect civilization.

There is a view of this subject on which the mind of the Cobden Club has not rested. Its eye has been so intent on the immediate advantages which our adoption of its doctrine would bring to England, that the ulterior consequences of it have not been thought of. There is no one in England who does not know that of all their raw products there is not one which we cannot produce in greater abundance, and that, beyond these, we have an infinite variety of others of which they have none, and on which they are dependent. The cost of all these consists mainly in labor. Our tariff produces high wages. Take it off, wages fall, the cost of production falls. Who can deny that, with wages on the same level with England, with our inexhaustible supply of power, our skill, with all the raw materials at hand, and provisions more abundant and cheaper than they can be in England, the United States will produce cheaper than England can, and be a competitor with her in manufactured goods in all her present markets. Under low wages our consumption will fall off, and we shall cease to be, what we now are, among England's best and largest customers.

Should this come to pass, both nations will be sufferers. As we are a nation of workmen, and ought to understand what is for our interest, such a result is not to be anticipated. If, however, it should come, we must philosophically submit to our altered circumstances, and it is possible that they who have worked for the overthrow of our beneficent system may find themselves the greater sufferers. Our youthful energy and greater resources

will give to us a power with which England cannot cope in the markets of the world, and ships bearing the flag of the Union will once more take the place of those under the red cross of St. George on every sea. Our cost will be lives of unremitting toil, with its degrading tendencies, instead of the present privileges which the protective system secures to us all.

As we now are, we can compare the condition of the United States to that of no other nation. We have aimed at independence, and have secured it. We have striven for the greatest good of the greatest number, and are rewarded. We have no privileged classes, and the emoluments and rewards of genius, of intellect, and well-directed industry in all its forms, are denied to no one. We are not envious of other nations, and do not fear them. The numerical insignificance of our army and of our navy proves our confidence in their good-will toward us, and we show our good-will toward them by receiving cordially from them all who prefer, from any cause, to leave their homes and cast their lot among us.

There is but one other point on which I shall touch. Lord Derby says: "They have America to themselves; they unwisely, as we think, are protectionists against Europe; but, over an area as large as Europe, within the Union itself, there exists absolute free trade. Their constitution and their geographical position do much to neutralize the mistakes of their policy." T. Bayley Potter, Esq., M. P., Honorary Secretary of the Cobden Club, after an extended tour in this country, expressed himself much to the same effect. That part of our system which they think affects England injuriously, these gentlemen, in common with all Englishmen, condemn. Its operation among ourselves is the subject of their strongest commendation. It is unfortunate for us — perhaps more unfortunate for England — that the Cobden Club has not shown its solicitude for nearer neighbors than we are. Is it not possible that its pious zeal should be successfully directed toward the unification of Europe (including England) into a republic? Then free trade would, as with us, prevail within its borders, and a more liberal policy than ours might govern its foreign relations. One blessing would certainly follow: the people would no longer be burdened with the cost of huge standing armies, enormous navies, and a multitude of thrones.

JOHN WELSH.

DISORDER IN COURT-ROOMS.

If "Order is Heaven's first law," it is not the less one of the first requisites of the due administration of justice upon the earth. It is the condition upon which the usefulness of courts largely depends. Hence it is that adequate powers have been conferred upon judges for its preservation. It is obvious that an authority which could be mocked would soon fail to command respect, and the lack of respect would breed disturbance. The power to maintain order, therefore, is vital to the institution and usefulness of tribunals in which justice is to be administered.

It was found at an early day that peace, order, and dignity, so needful in courts of justice, were best secured by the power to punish those who wantonly abused them. The correction at the common law was summary. The practice obtained as an incident in the course of judicial business and was tolerated from mere necessity; but its exercise depended so much upon the temper of the judges, that statutes have been enacted, from time to time, defining and limiting the offenses which constitute contempt. Such legislation was wise. At the first blush, it might seem that the committal of a citizen to prison upon the sole action and knowledge of a single judicial officer was a denial of the right of trial by jury—a social privilege accorded to most offenders. But it has been determined that the provision of the Constitution of the United States that the trial of crimes shall be by jury, does not take from the courts the right to punish criminal contempts in a summary mode. The same construction has been given to like provisions in State Constitutions. It is obvious that flagrant offenses may be committed in the presence of the Court, and its action be so impeded as to make direct and immediate punishment necessary: as where one is noisy, violent, profane, or where a witness refuses to answer a proper question as to a fact known to him, or to produce a paper, then and there

in his possession, upon which the rights of a suitor may depend. In such instances prompt and vigorous discipline must have a wholesome influence.

It is to be observed that the exercise of this power is not limited to disturbance arising in the court-room, but extends to such as may occur without the walls, to the annoyance of the Court. An Act of Congress confers upon courts the right to punish any person for misbehavior in their presence, or so near thereto as to obstruct judicial proceedings. So it has been held to be a contempt to perform militia evolutions, with music and firing, near the court when in session. Even legitimate avocations may occasionally come within the objection; thus, if necessary, the proprietor of a planing mill or boiler factory might be required to suspend operations. If one should plant an apparatus emitting noxious or disagreeable vapors, so as to contaminate the atmosphere of a court-room, or should from a distance discharge missiles so as to imperil the inmates, he might be ordered to desist and be punished if he did not. It would be easy to extend the enumeration. Of course, a noise temporary in character, where there was a good reason for it, like that of a passing procession, would not be dealt with otherwise than by the exercise of a little patience. As an illustration, once when my brother-judge McCue was presiding at a trial with a jury, on St. Patrick's day, a band stationed in the street, near the Court House, struck up such discordant music that the trial was suspended, the Judge good humoredly remarking: "For once in the year St. Patrick has the right of way."

The power of suppressing disturbances from without the court is as necessary as that of correcting those within it, though less summary in its application. It is to be observed that the statutory regulations are really restrictive, and have considerably abridged the power which had been exercised at common law.

The recent commitment of Edmund Dwyer Gray, High Sheriff, to prison by the order of Mr. Justice Lawson, for publishing in his newspaper, after a trial, severe strictures upon the conduct of members of the jury, has justly excited great attention. The publication, made after the trial, could in no way have affected the progress or the result of the investigation. If, as stated, some of the jury, while serving as such, had been intoxicated, that was a proper matter to publish—news in which the public had an interest. The court might well have called

the jurors to account, but should not have assumed that the publication was false or perverse, made to bring the court into disrepute. If not true, there was a way to reach and punish Mr. Gray without the justice himself assuming that responsibility. The reason assigned, as reported, is peculiar. He says: "I see perfectly well the design of these articles. It is to endeavor to destroy in the public mind the moral effect of these convictions, and to interfere with the trial of prisoners yet to be tried." The intent thus ascribed to Mr. Gray is assumed,—a mere conjecture. That intent might have been the subject matter of interrogatories to be answered in the course of an orderly proceeding. For aught that appeared, the articles might have been inserted without his personal knowledge, a thing likely enough to happen at a time when, as High Sheriff, his duties may have been of an exacting and exciting character. What justice demands is freedom of inquiry. That had been secured, and to punish for criticism, merely as such, thereafter, was oppressive. Such a spirit would be at war with legitimate history. The offense, if any, was constructive. It was not perpetrated in the presence of the court,—did not interrupt its proceedings. It may well be doubted whether Mr. Justice Lawson was legally correct in the course pursued; but such punishment could not, after his manner, be lawfully imposed with us, and should be regarded everywhere as inexpedient, if not arbitrary.

A court-room is a place of strife, often of the keenest and bitterest character, where fortune, honor, life, or liberty may be at stake. Professional emulation frequently adds another element to the struggle. Having such passions and motives to deal with, the power of restraint by the court must be immediate, and must be kept in view and exercised. But, even then, it is often difficult, if not impossible, to preserve order. It may not be improper, in this relation, to refer to a recent case of mournful celebrity, the trial of the assassin of President Garfield. I have for the learned judge who presided profound respect. His service was exceedingly difficult, owing to the misconduct of the people and of the prisoner. There was, as I conceive, but one course of procedure by which due order might possibly have been preserved. The first spectator who encouraged and rewarded the interruptions of the prisoner by a laugh should have been expelled; the second one committed. Had it been understood each morning that such a rule would be rigorously enforced, the

interruptions would have ceased. Even the prisoner himself, finding it irksome to appeal to an unsympathetic audience, might have relapsed into quiet ways. He had the right to be present and to be heard. What course of personal repression remained? He had passed beyond the reach of punishment as for contempt. To have inflicted personal chastisement would have offended the sense of a just and humane people. To have loaded him with irons would have been barbarous, and must have brought the blush of shame to the cheek of every lawyer who remembered that when a prisoner was brought in for trial, Sir John Holt ordered the irons to be taken off, saying: "When prisoners are tried, they should stand at their ease."

It sometimes happens that, in moments of excitement, counsel create disturbance in the courts. Happily, but few instances of such misconduct can be recalled.

On the trial of one of the anti-rent cases in Columbia County, N. Y., before Judge Edmonds, John Van Buren, then Attorney-General, and Ambrose L. Jordan, were opposed. Mr. Jordan was distinguished for his ability, but also for a quick temper, and was often very exasperating in his manner. Mr. Van Buren was addressing the Court, and, smarting under what he considered a gross insult, struck Mr. Jordan in the face. It has been suggested that the blow was inadvertent, and given in a sweeping gesticulation. The blow was returned by Mr. Jordan, and the Court instantly ordered that both counsel be imprisoned for twenty-four hours, and adjourned the trial until the next day. The act indicated great decision and independence in Judge Edmonds, who had long been the close friend of the Attorney-General and of his father.

In a case tried before Judge Hulbert, in the City of New York, Joseph L. White and Mr. Bowman were opposing counsel. In speaking to the jury, Mr. White referred to a colored witness as a relative of his opponent. Bowman said he was a liar, and White threw an ink-stand at him. The Judge fined each of them a hundred dollars. There is no doubt that the imputed relation of the colored witness, though foolish, was exasperating, and that the sudden tumult could not have been foreseen by the Court. It only remained for the Judge to prevent the repetition of such words and acts, and that he did in a proper manner.

Mr. John G. Stower was for several years the law-partner of Philo T. Gridley, who, as Circuit Judge, succeeded Judge

Denio. Gridley was quick and petulant, even on the bench, and had been noted for those qualities when in practice. Mr. Stower told me that the first time he ever saw Mr. Gridley he was in the act of throwing a volume of the Revised Statutes at the head of the counsel who was opposed to him in the trial of a cause before the Court and jury.

On the other hand, the action of the judge in the following case, related in Colton's "Life and Times of Henry Clay," was weak and undignified. That author says: "The next case in the history of Mr. Clay's defense of criminals is that of one Willis, of Fayette County, who was accused of murder, of peculiar atrocity. Mr. Clay succeeded in dividing the jury so that they could not agree. A motion for a new trial at the next session of the court was heard and granted. Mr. Clay did not object to this course, but at the second trial he startled the Court, in his address to the jury, with the announcement of the principle that no man could be twice put in jeopardy of his life for the same offense. The Court interfered, and forbade the use of that argument, whereupon Mr. Clay, in a dignified but respectful manner, declared he could not proceed unless he were permitted to take that course, took up his bag and books, and retired. This decisive step threw all the responsibility on the Court, who, apparently in doubt, or overawed by the character of Mr. Clay, sent a messenger after him, inviting his return and informing him that he should be allowed to manage the defense in his own way. He accordingly went back, pressed the point on which he had been stopped, and on that ground, without any regard to the evidence, obtained from the jury a verdict of acquittal for the prisoner."

The Court should have assigned other counsel to continue the case, or, as the testimony was all in, given the jury the proper instructions, withdrawing their attention from the point of law which had been suggested, and directing them to consider the testimony, and, from it, determine the question as to the guilt of the prisoner.

Counsel has the right to retire from a case even when it is on trial; but he should not do so simply because he has been corrected or overruled by the Court, or because he can thus embarrass or influence a weak judge. In this instance, Mr. Clay's conduct was improper, and created disorder.

The judge would seem to have been timid and ignorant; but the exercise of a little common-sense would have saved him from

disgrace. His duty was plain and simple. As no preacher would change the tone and character of the church service because some distinguished personage was present, so no judge worthy of respect would change or modify his course in the temple of justice because counsel of unusual distinction happened to be before him.

In this relation, a single example of the strength and firmness of a judge in maintaining order in court may be worthy of mention. When the House of Commons cited Sir John Holt to appear at its bar to answer for a judicial act, he refused to attend. When the Speaker of the House and some highly privileged members came and, with great ceremony, renewed that call, the judge said: "Go back to your chair, Mr. Speaker, within these five minutes, or, you may depend upon it, I will lay you by the heels in Newgate. You speak of your authority, but I tell you that I sit here as an interpreter of the laws and a distributor of justice, and if the whole House of Commons were in your belly, I would not stir a foot." He was left undisturbed; the interruption of business was temporary.

As a general rule, a judge should not interrupt counsel who is speaking to a case according to his conception of it, though Lyndhurst used to say that one of the chief duties of a judge was to make it disagreeable to counsel to talk nonsense. On the trial of the Forrest divorce case before Chief Justice Oakley, Mr. Van Buren, of counsel for Forrest, in his remarks to the jury, deplored the fact that he was to be followed by able counsel, Charles O'Conor, and "by the Court, perhaps, by an unfriendly one." He was allowed to proceed, but, later, the Chief Justice called attention to those words, and Mr. Van Buren, who had uttered them inadvertently, made an apology. No one ever believed that he had intended to question the integrity of that eminent jurist.

Nor should judges who have quick perceptions fail to cultivate a spirit of patience and of self-restraint. Mr. Walworth, our last Chancellor, fortunate in almost everything, was unfortunate in this respect. An argument before him was generally a mere dialogue. He was continually anticipating the points which he assumed counsel wished to present, and was often mistaken. I remember more than one occasion when the happy correction and retort of counsel disturbed the quiet of the court.

Nor should a judge who hopes to preserve good order get into a wrangle with counsel or seek to be witty at his expense. The

spectators will be apt to sympathize with the advocate, and, if he be at all clever, commend his audacity. The conflict between the Irish judge and Curran is to the purpose. After the judge had intimated that Curran's collection of books was small, and been told that it was better to read a few good books than to write bad ones,—a hit which the judge felt so acutely that he exclaimed, "Sir, if you say another word I'll commit you," and Curran had replied, "If you do, my lord, both you and I shall have the pleasure of reflecting that I am not the worst thing your lordship has committed,"—we need not be told where the laugh came in.

The excessive or misdirected zeal of counsel may sometimes give the court trouble. In his valuable introduction to a volume of Daniel Webster's speeches, Mr. E. P. Whipple says: "An eminent Judge of the Supreme Court of Massachusetts, in commending the general dignity and courtesy which characterized Mr. Webster's conduct of a case in a court of law, noted one exception. 'When,' he said, 'the opposing counsel had got him into a corner, the way he "tramped out" was something frightful to behold. The court itself could hardly restrain him in his gigantic efforts to extricate himself from the consequences of a blunder or an oversight.'"

But, apart from such instances, and from the power to secure good order by punishing those who rebel against it, other and higher incitements remain. In Brooklyn, the city in which I write, the people have respect for the law and for those who seek to administer it in good faith. The influence of religious, moral, and intellectual training is felt in the court-rooms. The citizen, whether he be a suitor, juror, witness, or spectator, conducts himself as a gentleman. The members of the bar treat each other with courtesy, and, intent on the business they have in hand, generally speak to the purpose, and favorably impress, even when they may not convince, those who hear them. Good order in court-rooms may, therefore, be regarded as the normal condition; and it is grateful to add that, during a period of more than twelve years, of which I speak, the City Court has not had occasion to punish any one for misconduct or contempt.

JOSEPH NEILSON.

A PROBLEM FOR SOCIOLOGISTS.

It is a common idea in the community, even among those who are well educated, that a lunatic is necessarily one who raves and rages, kicks, bites, and strikes at all who approach him; tears his hair and denudes himself of his clothing; and who, being possessed of an overpowering impulse to dash his brains out against a wall or a stone pavement, or to kill his keeper, must be forcibly restrained by a strait-jacket or some other contrivance for keeping him in subjection.

It is perhaps an unfortunate thing for society that this idea is not correct, and that all the insane are not the violent and ferocious beings they are popularly supposed to be. If they were, we should know exactly what to do with them, and there would be no doubt in the minds of judges, juries, and especially the newspaper press, in regard to their responsibility before the law. Moreover, we should not often be called upon to witness the humiliating spectacle of a number of medical gentlemen, assuming to be familiar with the subject of insanity,—many of them being superintendents of lunatic asylums,—coming into court and testifying: one set, that an alleged murderer is entirely irresponsible for his acts by reason of being insane, and that therefore he ought to be acquitted; and the other, that he is a criminal of as sound a mind as any who ever stood in a dock, and consequently entirely worthy of ending his wretched life on the gallows.

But, so far from the majority of the insane corresponding to the description I have given, there are very few, comparatively speaking, to whom it is applicable. From that extreme point there are numerous gradations toward the normal state, till we come to a class of persons relative to whose mental soundness there is more or less doubt. Clearly insane from one point of view, they are as certainly sane from another: evidently irresponsi-

ble for their acts according to one theory, surely amenable to justice according to the other.

Much of the difference of opinion relative to such individuals arises from the dissimilarity of the views held by jurists and alienists in regard to what constitutes insanity. At no very remote period there was entire uniformity in this respect, but science has advanced more rapidly than law, and many varieties of mental alienation are now known to exist which, when Blackstone wrote, were not recognized as departures from the ordinary standard of sanity to the regions of disease. In fact, the idea which all entertained was not essentially different from that to which I have just alluded. A lunatic was a raving maniac—a person who did not know the nature and consequences of his acts; on this point law and medicine were in perfect accord. At a period a little farther back the maniac was ordinarily regarded as possessed by a devil, and a proper subject, not for medical treatment, but for the offices of the church, and, if they failed, the stake.

When, therefore, a law was passed that no insane person should be punished, it referred not to the newly discovered forms of insanity, but to those others, of the nature of which there was no doubt. It does not define what insanity is, because when enacted there was no occasion for so doing. As a consequence, judges and juries give the term any interpretation they choose, often acquitting red-handed murderers who claim to have been insane; and some physicians, scarcely ever meeting with a human being of perfectly normal mind in every respect, are ready to apply it to five-sixths of the human race. Others again, regarding crime as a disease, look upon every criminal as a lunatic, and the more ferocious he may be, the more horrible and beastly the crimes he may have committed, the greater the evidence to their minds that the perpetrator was of unsound mind. To hang one of these "mild-mannered," irresponsible lunatics, is an abhorrent thing to them; punishment as such is lost upon these creatures; they should be cured or reformed.

But society has to deal with the matter in a much more practical way. With the natural selfishness existing in the human race in all parts of the world, but which, being inborn, is a part of its organization, mankind looks to its own protection, rather than to the enforcement of the principles of abstract justice. Hence, when an individual apparently of accurate perceptions and sound intellect,—one who, in all the relations of life, has per-

formed his part shrewdly, who, in a word, has always shown that he knew what he was about, commits a crime, and it is alleged in his defense that he was suddenly actuated by a "morbid impulse," judges representing society are very apt to lay down the law in a way to convince the jury that the only "morbid impulse" they can recognize is that which actuates every criminal. To the form of lunacy which exists in these people the term emotional insanity is applied.

It is the general belief of the laity that emotional insanity is an expression used to designate the state of mind of an individual who, feeling aggrieved at some real or imaginary wrong done him, works himself up into a condition of extreme excitement, and, deliberately seeking out the offender, murders him. This is a notion which has been promulgated mainly through the reporters of the proceedings of the criminal courts, and is far from being correct. Emotional insanity is rather that species of mental derangement in which, the intellect being little, if at all, involved, some one or more of the emotions are exalted to such a degree as to govern the individual to the exclusion of his reason, and to cause him to perpetrate acts which in his normal condition he would not commit. There is, therefore, in such persons no error of judgment, no defect of intelligence, no failure of memory; but there is a desire—irresistible, it may be—to act in a manner contrary to their sense of right, and because they obtain an intense degree of pleasure from so doing. They wish to act exactly as they do act; there is no antagonism between their will and their sense of right; and hence they are unlike those others, the subjects of true morbid impulse, who, losing the control of the will, perpetrate murders and other crimes, not only in opposition to their convictions of right and wrong, but contrary to their desires.

It may be asked how these persons differ from ordinary criminals. How, for instance, is the kleptomaniac, who steals for the love of stealing, to be distinguished from an ordinary thief, who also steals for the love of stealing? A case in point will probably help to make the matter clearer than would any mere verbal description.

A young man, a student of law, suffered from an attack of scarlet fever. During the stage of convalescence, as he was one day sitting at his window looking out on the street, his attention was attracted by two men, each of whom wore a very large

watch-chain. They passed on, and he thought nothing more of the circumstance till that night, when he awoke suddenly from a sound sleep, with the idea that he must have those chains. He tried to dismiss the matter from his mind, but in vain. Do what he would, it constantly recurred to him; so he got up, and sat down to think over the strange desire with which he had so suddenly become possessed. Two or three hours were passed in this way, and then, it being daylight, he dressed himself and went out to walk, hoping that exercise in the morning air would rid him of his infatuation. But the effect was very different from what he had anticipated, and before he returned home he had made up his mind that no pleasure in this life could be comparable to that which he would derive from having the two watch-chains in his possession.

He was in good circumstances, a graduate of a well-known college, and in all the relations of life had borne himself creditably. Moreover, he had a very fine gold watch and chain, which had been given him by his father.

Five or six days elapsed, during which time the desire to obtain the watch-chains was the most prominent emotion of his mind. Hour after hour was passed in forming plans to get them into his possession, but there seemed to be no way by which his wish could be gratified. He watched from his window, he walked the street looking all around him in the hope of seeing the men. He even went to several large jewelry establishments and inspected the watch-chains, with the object of ascertaining if there were others like those on which his mind was set. He visited a large theater, and carefully scrutinized the audience; but all was to no purpose. Finally, one afternoon, as he was returning home from the office in which he was a student, he suddenly came face to face with one of the men he had previously observed. A glance was sufficient to show him that the coveted chain was in its place. He at once turned and followed the man several blocks till he observed him enter a jeweler's shop. He went in also. The man was talking to a salesman, and the watch and chain lay on the counter between them. The object of his desire was now within his reach. He stood by, as if waiting his turn to be served, trembling with excitement and joy, his eyes riveted on the chain. He determined not to leave the shop without getting the chain into his possession by some means or other. Suddenly he felt that the

time had come; and, without a moment's hesitation, he seized the watch and chain and dashed out of the door. The street was crowded, and twilight was just beginning. The cry of "Stop thief!" was at once raised, and he was hotly pursued; but, after running a short distance, he contrived to mingle with the crowd, and, retracing his steps quietly, actually had the boldness to pass the jeweler's shop again. He reached his house safely, exhausted with the excitement he had undergone, but happy in the consciousness of having successfully accomplished half his self-appointed task.

The gratification he experienced encouraged him to persevere in his efforts to obtain the other chain, and he continued on the look-out for the man who wore it. In the meantime he contemplated his acquisition with mingled feelings of pleasure and disgust. He had done more than he had intended, for he had no desire for the watch which he had stolen along with the chain. On the contrary, it was a source of great discomfort to him. Besides, although he was intensely gratified in possessing the chain, he could not disguise from himself the fact that he was a thief, and eligible to imprisonment for the crime of grand larceny. It was necessary to his peace of mind to return the watch; so he inclosed it in a box, and sent it, with many precautions for insuring his own safety, to the jeweler from whose shop he had taken it, with the request that it might be returned to the owner. As to the chain, not valuing it for any use it might be to him, he wrapped it in a piece of india-rubber cloth, and buried it in a hole which he dug for the purpose in the cellar.

But, after a time, from frequently analyzing his feelings, he perceived that the possession of the chain gave him no pleasure; it was the act of taking it which was the source of the satisfaction he had experienced. He therefore dug it up and sent it also back to the jeweler. He never saw either of the two men again, and gradually the desire to possess the other chain faded out of his mind.

But, about a year afterward, he was attacked with wakefulness which proved to be of the most intractable kind, and with pain in the head, vertigo, noises in the ears, hallucinations of hearing, and other symptoms of a disordered brain. He then came under the observation of the writer, and in the course of the examination to which he was subjected told the story which

has just been related. He also stated that he remembered very distinctly that, when the desire to obtain the watch-chains first occurred to him, he had experienced a severe attack of vertigo, and almost fell from the chair on which he was sitting. He was not quite sure that he did not for an instant lose consciousness. On inquiry being made of the jeweler to whom he said he had returned the watch and chain, it was ascertained that the account he had given of the robbery and the restorations was entirely correct.

Now, let us suppose that, on emerging from the jeweler's shop with the stolen watch and chain in his possession, he had been seized by a policeman: is there any doubt that, upon trial, he would have been found guilty of grand larceny and punished by incarceration for several years in the penitentiary? The stolen property would have been found in his possession. There would have been no witnesses in his behalf, and his own story of his abnormal desire would have received no attention as an extenuating circumstance. All who knew him would have testified to the facts of his perfect sanity, and to the correctness and reasonableness of his actions. That very day he had drawn up several complicated legal papers, and had been complimented by his preceptor for the intelligence and accuracy he had displayed.

But the circumstance that he was just recovering from an attack of scarlet fever, a disease which often leaves the brain in a weak condition, and the seizure with vertigo, conjoined with his subsequent conduct, leave no doubt that his brain was not in a perfectly healthy state, and that the desire he had so suddenly experienced was the result of cerebral disorder. The excitation of the feeling of pleasure at the anticipation of obtaining the chains was an emotional disturbance largely in excess of what the circumstance required, and was of itself strong evidence of the existence of mental derangement. For fifty dollars he could have purchased a better chain; he had money sufficient for all his wants, and, as we have seen, did not care for the thing he had stolen after he had once experienced the pleasure of stealing it. With that act the morbid state of mind seems at once to have begun to disappear, and in a short time had altogether vanished. It is quite certain that if he had not accidentally met one of the men he would much sooner have regained his mental health. Now, how does the criminal act of such a person differ from the like conduct of a vulgar thief?

So far as the act itself is concerned, there is no difference. In both there is deliberation, a purpose to be effected, and an entirely sane adaptation of means to ends in its accomplishment. No one, no matter how sharp his wits, or how experienced he might be in the various methods of robbery, could have planned and executed the theft in question with more courage and dash, with greater probability of success, and with more likelihood of getting away safely with his booty.

But there is, nevertheless, this great difference: the common thief steals for a living, for the sake of the material benefit to be derived from the conversion of the thing stolen to his own use. The subject of the kind of emotional insanity illustrated by the young law-student cares nothing for the object he has purloined after it is in his possession. It is the act of stealing which gives him pleasure. Whether the one theft is morally worse than the other is a point which I think admits of serious question. Both individuals are actuated by desire, and by the anticipation of pleasure to be derived from the gratification of the desire; but in the one it is the pleasure of possession and the ultimate advantage to accrue therefrom; in the other it is the pleasure of action, which ends with the accomplishment of the act. It is only subsequently that we become acquainted with circumstances which induce us to think that the latter may possibly not have been entirely responsible for his conduct. There are many, however, on the other hand, who claim the same measure of irresponsibility for the professional thief.

The object of the laws against stealing is to protect the property of the members of a community against the depredations of those who may conceive a desire to appropriate it to their own use. If a person perpetrating a criminal act can successfully allege in his defense that he was actuated by an impulse, and that it was necessary for his happiness that he should steal, I do not see but that the laws providing penalties for stealing should be repealed, and every owner of property be told to protect it himself; for the common thief, also, has an impulse to steal, and it is necessary for his happiness that he should do so. The mere fact that the one steals for the love of stealing, and the other to obtain possession of something he can use, or convert into money, or food, or clothing, or bad whisky, is a point with which it appears to me society need not concern itself, except to see that both are suitably punished. Both have,

in fact, been actuated by morbid impulses, and both have violated the law.

It is impossible for most of us, however, to avoid sympathizing to some extent with the young man who, having been honest and upright all his life, suddenly becomes possessed with the apparently overwhelming desire to obtain possession of something which does not belong to him. And it is very easy to find reasons why he should not be punished, or, if already convicted, pardoned. He had been ill, his mind must have been enfeebled; he experienced a vertigo at the time the impulse came upon him, and persons suddenly seized with vertigo have been known to commit perfectly unreasonable murders. It was an impulse he could not resist; he made no use of the things stolen, and he returned them to the place whence they had been taken. In short, he had a diseased brain, and was irresponsible.

But it appears to me that these allegations do not touch the point at issue. We may admit, without discussion, that his mind at the time he first entertained the wish for the chains was not in a healthy state; that, in fact, his mental processes were not such as his brain in its normal condition would have produced; and even then, we do not touch the question of his irresponsibility. For every person with a diseased brain is not unaccountable for his acts, whatever certain advanced, yet ignorant moral philosophers, may say to the contrary, and the law is constantly being administered on this principle. A person, for instance, who has taken a glass of whisky too much, has for the time-being a diseased brain. There is more blood circulating through it than is natural, and moreover, that which passes through the cerebral vessels is poisoned with alcohol. I had once under my observation a man who always felt an overpowering desire to steal when he was drunk, but who was, when sober, a very peaceable, law-abiding person. It is probable that most thieves and robbers are, at the time they steal, more or less under the influence of alcohol; yet no one thinks of excusing them on that account. The fact that they voluntarily put themselves in that condition has nothing to do with the question of their irresponsibility. The young man voluntarily placed himself at the window before which the men passed. If he had not gone to the window, he certainly would not have felt the wish to steal their watch-chains.

And, moreover, it does not by any means follow that every

individual with an unlawful impulse he wishes to gratify, and which may directly result from a diseased brain, is incapable of exercising the necessary amount of control. In the case under consideration, and in many others of like character which have been noticed, there was no such determined effort at resistance as society has a right to expect of all persons who are tempted. The young man was in pursuit of happiness, and it apparently made no difference to him whether his act was legal or illegal, so that his peace of mind was assured. When he felt that his impulse was getting the better of his judgment, that it was urging him to perpetrate an action which was not only dishonorable and immoral, but which, if discovered, would render him liable to severe and disgraceful punishment, and that not only he, but his family would suffer, it was clearly his duty to place himself in such a condition as would have rendered it impossible for him to yield. He should have left the city, or have informed his friends of the incomprehensible desire which had suddenly seized him, and have begged them to take him at once under their supervision. All this he had the power to do, but he preferred, instead, to gratify himself, knowing well the nature and consequences of his act. Many an impulse worse than his has been overcome by similar, or even more severe measures, voluntarily taken by the subjects themselves. And many a professional law-breaker has become such by yielding to an impulse which might in the beginning have been readily controlled.

The growth of a habit of committing improper or unlawful acts is very rapid, as is well shown in the following instance.

A lady came under my observation who was subject to no delusion, and who had never exhibited any evidence of mental alienation except in showing an impulse, which she declared she could not control, to throw valuable articles into the fire. At first, as she said in her confession to me, the impulse was excited by the satisfaction she derived from seeing an old pair of slippers curl up into fantastic shapes after she had thrown them into a blazing wood-fire. She repeated the act the following day, but, not having a pair of old shoes to burn, she used instead a felt hat which was no longer fashionable. But this did not undergo contortions like the shoes, and therefore she had no pleasurable sensations like those of the day before, and thus, so far as any satisfaction was concerned, the experiment was a failure. On the ensuing day, however, she felt, to her great surprise, that it

would be a pleasant thing to burn something. She was very clear that this pleasure consisted solely in the fulfillment of an impulse which, to a great extent, had been habitual. She therefore seized a handsomely bound prayer-book which lay on the table, and throwing it into the fire, turned away her face, and walked to another part of the room. It was very certain, therefore, that she was no longer gratified by the sight of the burning articles. She went on repeating these acts with her own things, and even with those which did not belong to her, until she became a nuisance to herself, and to all those with whom she had any relations. Her destructive propensities stopped at nothing which was capable of being consumed. Books, bonnets, shawls, laces, handkerchiefs, and even table-cloths and bed-linen, helped to swell the list of her sacrifices. As soon as she had thrown the articles into the fire, the impulse was satisfied. She did not care to see them burn; on the contrary, the sight was rather disagreeable to her than otherwise. But the power which affected her in the way it did she represented as being imperative, and, if not immediately allowed to act, giving rise to the most irritable and unpleasant sensations, which she could not describe otherwise than by saying that she felt as if she would have to fly, or jump, or run, and that there was a feeling under the skin all over the body as though the flesh were in motion. As soon as she had yielded to the impulse, these sensations disappeared. She was eventually cured by being placed under restraint and subjected to medical treatment.

If the young law-student had encountered the other man with the watch-chain soon after stealing from the first, it is quite within the range of probability that he would have acquired a habit of stealing which would have clung to him all the rest of his life.

The motives of a person committing a crime are not to be considered in the estimate we may form of his criminality. They may be an extenuation of his sin, but sin and crime are two very different things. With the first, society has nothing to do; but the latter, being a violation of law, concerns it very intimately. When the plea of insanity is raised, the only questions it can consider are: Did the perpetrator know the nature and consequences of his act? If suffering from an alleged morbid impulse, did he do everything in his power to make the yielding to this impulse an impossibility? Unless he can show that in this latter

case he did everything which an otherwise sane man would do to avoid committing a crime, he ought to suffer the full penalty of the law. Persons with morbid impulses to commit crimes have frequently informed the authorities of their misfortune, and have begged to be incarcerated till the impulse has passed off. And one poor man, in Belgium, who experienced a sudden overwhelming force urging him to kill his wife, deliberately cut off his right arm rather than commit what he knew was not only a crime, but an act against which every principle of his being revolted.

A man with murderous tendencies which he is unable to restrain, is as much an enemy of society as a ferocious tiger or a mad dog, and ought to be dealt with in quite as summary a manner as we deal with these animals. It is all very well to talk of the inhumanity of such a proceeding, and to urge sequestration in a lunatic asylum as amply meeting the requirements of the case. But experience teaches us that, though it may be very difficult for a sane person improperly committed to get out of an asylum, it is the easiest thing in the world for a lunatic who has committed a crime to walk out of its doors with the full consent of the superintendent. Till these things are changed, the law, as recently laid down by Judge Noah Davis, of the Supreme Court of this State, and by Judge Cox, of the District of Columbia, and as almost universally held by the English judges, that "every one is responsible who knows the nature and consequences of his act," is no more than sufficient for the protection of society—the prime object of every law.

WILLIAM A. HAMMOND.

THE INDUSTRIAL VALUE OF WOMAN.

"WOMAN'S Work and Woman's Wages," is the title of an article written by Mr. Charles W. Elliott, who must not be confounded with President Eliot, of Harvard University. The paper in question appeared in the August number of the NORTH AMERICAN REVIEW, and has been the subject of much comment. It seems to have been written in a humane spirit, and the conclusion finally arrived at—which is that the unequal distribution of wealth in human society is a matter demanding grave consideration—does not disincline us to think well of the intentions of the writer. As the outcome, however, of a long argument against the efforts of women in our day to better their own condition, such a conclusion is neither logical nor satisfactory.

The writer begins by broaching, in a free-and-easy way, the difficult subject of human values. Of these he shows but the crudest notion. Considering, first, the changes which the use of machinery has introduced into every department of industry, he jumps at the conclusion that women to-day are of less value than they were in the days in which the baking, spinning, and weaving of the world depended mostly upon their busy fingers. The result of these inventions is that "Woman to-day seems to be the least valuable of created beings." So careless and sweeping a statement as this can hardly be met as if it were a serious and *bona fide* expression of opinion on the part of a person of sound mind. It is, however, a fair sample of the spirit which pervades the whole article.

And, to proceed as it proceeds. Mr. Elliott recognizes this loss of value as existing in all countries, and "most in those which call themselves civilized." In connection with this statement he cites the opinion of a German professor (name not given), who considers the woman of the present day as worth about one-eighth as much as the corresponding man. The

same authority is given for the remark that "out of Europe horses are more valuable than members of the fair sex."

We must say that here as elsewhere in this article various questions are "mixed up" to a degree which makes it difficult to deal with them. Nothing in it is distinctly asked or answered. It appears to us a curious jumble of statements and sentimentalities, in which argument and conclusion are rarely to the same end. The assertion with which the writer begins, for example—that of the lowering of human values by the introduction of machinery—is one which affects men quite as much as it does women. Artisans and mechanics have, even in modern times, dreaded and resisted the modern miracles of machinery, fearing themselves to experience that loss of value which Mr. Elliott recognizes in the case of women only. Political economy has dealt with this natural apprehension, and experience has shown it to be unfounded.

An eminent writer on political economy reduces the masculine standard of value lower than that assigned to women in the quotation just given. Montesquieu, in his work on "The Spirit of Laws," affirms that there are conditions of society in which the birth of a male child, even, is to be considered as a negative quantity, as a loss instead of a gain.

We ourselves have many experiences in which an addition of numbers brings with it a diminution of value. In wealthy families, the subdivision of an inheritance among a number of descendants is recognized as an evil, and provided against. Little Mary's birth will, under certain circumstances, reduce the million of dollars intended for her brother by one-half. What is her value, then, to his estate? A negative one, clearly. Moreover, not with regard to wealth only, but to health also, to physical comfort, undisturbed sleep, uninterrupted leisure or pleasure, the birth of any child involves a loss for which nature has reserved no material compensation whatever.

Basing woman's supposed loss of value, in the first instance, upon the modern use of machinery, Mr. Elliott seriously asks the question: "What can she do to become again valuable?" It would be more in place for him to ask: "How shall we arrive at a just idea of values?" Are we quite sure of getting this from the most superficial view of what we suppose people to be doing, and of what we suppose them to be worth? History gives us many instances to the contrary.

What was the value of Archimedes to the Roman soldier who smote him to death as he sat absorbed in his diagrams after the taking of Syracuse? What was the value of Christ at the time of his crucifixion? It was a negative one, thirty pieces less than nothing. His clothes, which were probably poor and well-worn, were worth more than himself.

Mr. Elliott invites us to form our estimate of the value of women in the present day, by the amount of wages actually paid to them. His statement even of this criterion of their value is very imperfect. But, supposing it to be entirely correct; is it not true that much of the greatest work which is done for society is of a sort which cannot be paid for? It is not convertible, and has no representation in pounds, shillings, and pence. How shall we compute the money value of the discovery of America by Columbus, or state in a round sum, that of the heroism of Tell, Winkelried, or Washington? What does a martyrdom amount to, in coin of the realm? Or, to bring such questions down to personality, what was your mother worth to you? What, the mother of your children? Your friend? Your favorite child or companion?

Is it not evident that the greatest values of human life are such as have no representation through any material symbol? May we not also suppose that our knowledge of these is very imperfect, and our judgment, in consequence, very inadequate?

What is most valuable to society is oftenest that which cannot be bought or sold, which cannot, indeed, be paid for in any visible or tangible shape. The value of women is, much of it, of this transcendent description. To measure it by money, or to ignore it, would be equally irrational.

This country is full of women, whose industry and economy enable as many men to keep a home and to rear a family. The work of these women is mostly unnoticed in the world at large. Its value can only be found in the fact that society could not exist without it.

The gist of Mr. Elliott's article may be briefly summed up under the following heads:

Woman to-day has primarily lost her value, because machines have been invented which supersede her ancient tasks of spinning and weaving.

In consequence of these inventions, and of her own loss of

value, she is enabled, in many conditions of life, to abstain from manual labor.

As a worker, woman is worth far less to the world than man, because, whether she does the same work or not, she is always paid at a lower rate than he is.

The most important work which society has on hand, is to restore to woman her lost value.

Women and senators are not to suppose that brain-education, or, in other words, the training of the intellect, can either increase the value, or better the condition of "the fair sex."

Women and senators are equally in error when they suppose that the exercise of political functions can advance the social condition of either men or women. If these ignorant people only knew it, they could do "something better than voting for a pot-house statesman," Mr. Gladstone and Charles Sumner, for instance.

While the education of women's hands is to be promoted, especially in regard to washing and cooking, the education of their brains will only sink them to a lower plane of degradation than that on which Mr. Elliott already beholds them.

"Competition must result everywhere in the degradation of woman and the pauperization of man." We give Mr. Elliott's own words.

The better training and more availing use of such intellect as women have will be sure to entail upon them bodily disease and sexual disability.

The argument regarding health, which appears in various parts of the paper, may be stated as follows:

Heavy muscular exertion deforms both women and their progeny.

Skilled labor and the various industries which Mr. Elliott resumes under the head of brain-work, are dangerous to health and destructive to maternity.

Child-bearing and house-work should be the absolute objects of a girl's education.

The character of these propositions is somewhat obscured by the confused manner in which they are brought forward. Mr. Elliott's perplexities, which do not render him less dogmatic, will be relieved by any careful study of the history of institutions, and by some approach to an adequate understanding of the leading features which characterize his own time. To judge from

his own and similar articles, such an understanding is too little thought of in the education of the young men of to-day, to whom the past and the present are offered pell-mell, with no proper leading up from the faults and excellences of the one to those of the other. In this education there should also be some explanation of the personal instincts which prompt and underlie the opinions of many men in regard to the opposite sex.

The insisting upon any imposed set of functions as constituting the sum and substance of a woman's value, is only an outcome of the barbarism and ignorance which characterize the natural man at his start. In this, the wish is father to the thought. The man desires to find his inferior, and can do this most easily by imposing a position of inferiority upon the party least likely to resist this imposition, the partner and complement of his humanity. Society outgrows more and more this slavish and material way of thinking, which perseveres only in the minds of those who either will not or cannot inform themselves concerning its progress.

It is a little strange that, while, in statements like those presented by Mr. Elliott, most trades and professions are shown to be unhealthy for women, no inquiry is made into the physical results of the pursuits which, by the common consent of mankind, are left to them.

The cook roasts slowly over the kitchen fire until her nerves become so irritable as to render her ill-temper proverbial. The parlor-girl stands on her feet month in and month out. She runs up and down, carries heavy dishes, goes out of errands when, according to the professors of sexual hygiene, she ought to be comfortably tucked up in bed, with some one to wait upon her. The laundress washes, irons, and scrubs the floor till she is full of rheumatic aches and pains, which may or may not be peculiar to women. The seamstress, if she sews all her life, is fortunate to escape consumption or spinal disease. Even child-bearing, upon which such stress is laid, has not only its great suffering, but its horrible and ghastly dangers. Where the function is exercised in excess, it destroys health and shortens life.

Work of all sorts has thus its disadvantages, and those who earn their living by any industry, whether of hand or of brain, are liable to suffer from the over-use of some part of the animal economy. Yet, work is to all a moral, to most a material, necessity. For this fact we are not responsible. One-half the

burthen of work is taken off when the task is in accordance with the natural abilities and choice of the worker. We fail to find in Mr. Elliott's statements any reason which goes to show that this choice, so much prized by men, should be withheld from women.

Mr. Elliott, after quoting some tables which show the disproportion of women's wages to those of men in some European countries, seeks to emphasize this statement by insisting that there can be no such thing as "a systematic rating down of woman's work." This assertion seems to us a bold one. Have we never seen a systematic rating down of men's work? How was it when the slaves of the South not only received no wages, but, strange to say, forfeited the right to their bodies by the act of birth? Their work could be commanded for the mere minimum of what was necessary to keep them in working order. Had this scale of recompense anything to do with the real value of their work? This brings us back to the consideration of Mr. Elliott's very confused notions on the subject of value.

The circumstances which may make one commodity dear and another cheap, are not always those which really determine a higher value in the one and a lower in the other.

It is claimed in California that two Chinamen will do the work of a household more satisfactorily than double that number of Irishwomen at double their wages. Which is of the most value to the State, the servant who does the most work for the least money, or the one who does the least work for the most money?

Why, we may ask, was the labor of the slave systematically "rated down"? Why is the same thing true of the Chinaman? For two reasons. In the first place, society in general is neither just enough nor generous enough to desire to pay a fair price for fair work. Such is the rapacity of human nature that, in general, every circumstance which places the worker at a disadvantage is turned to account by the employer. He is not desirous merely of making a moderate living, but wishes to become a millionaire. You may tell him that his *employés* are wretchedly poor and ignorant; that they are worse lodged, fed, and trained than the horses of his stable or the dogs of his kennel. This may suggest to him some device for their benefit, but he will not raise their wages until a successful strike shall compel him to do so. Are not these acts of resistance, now

becoming so frequent, an irrefragable proof that men do not consider themselves safe from a systematic rating down of their labor?

In the second place, the slave was, and the Chinaman is, a political alien, disfranchised in a republic in which all other men are invested with the rights and dignities of citizenship. The man who has no vote has no political right or function. He is the political inferior of the voting citizen.

Both of these reasons apply to the case of women. The necessities which impel them to seek work outside of domestic life are more absolute in their case than in that of men. They have less general education, and therefore a smaller power of combining circumstances for their own benefit. The industries open to them are fewer than those open to men. Of all these circumstances, the employer takes advantage to pay them the minimum of what will enable them to live. To this inferiority of insistance is added, in their case, the inferiority of political disfranchisement. A very little study will show Mr. Elliott two things, viz.: that women are usually paid at a much lower rate than men are for doing the same work with the same ability, and also that in an enfranchised community the laborer is able to make a more intelligent and effectual protest against underpayment than he can make where he does not share the political power vested in his employers.

Mr. Elliott has not, then, succeeded in showing that the work of women is less valuable than that of men. He has not, in fact, given us any just estimate of the industrial value either of men or of women, here or elsewhere. His statistics show that the conditions of life are hard, and that the man whose organizing talent enables him to combine and utilize largely the labor of poor and ignorant people is usually content to let them remain poor and ignorant, except in so far as his own need of skilled labor shall prompt him to further their industrial education. Neither does Mr. Elliott allude to any of the natural and economic reasons which, even upon the basis of supply and demand, so multiply the occasions for which male labor is indispensable as to leave only a restricted field for the industrial labor of women.

We do not know from what source Mr. Elliott derives the theory that new workers cannot bring new demands for work, and can only painfully divide the wages of toil with those already employed. We give his words:

"Just so far as woman is forced, or forces herself, into the labor market in competition with man, does she drag down and cheapen man's labor. She makes no more work, and only divides the existing work with man."

A little further on, the same doctrine is assumed to apply to the brain-work of women:

"Woman can bring no added work into brain-occupation. She must divide that already existing, and by so doing must lessen, perhaps halve, the wages of man, a consequence," he proceeds to say, "not foreseen by some senators and some able women."

Statistics of employment will not bear out this theory, which is one already exploded by economists. In industrial production, whatever pleases the taste, and whatever promises to facilitate the business of life, certainly creates new demands for new supplies. It is true that the new product partially, or in time wholly, supersedes the old. But as the new article promises to give more for the same money than the old, it is considered more desirable, and the demand for it is larger than that which corresponded with the older production. In spite, therefore, of a partial loss of value in what is superseded, the scale of work and of wages in an active community is always a rising one.

We should be glad to have Mr. Elliott point out to us a single instance in which the male part of a community has been impoverished by the work of its women.

In the market of brain-work, as Mr. Elliott conceives of it, we have a clearer knowledge of what women have supplied, and at what cost, to male workers in the same kind. Did George Sand halve work and wages with Honoré de Balsac, or Mrs. Somerville with Sir Humphry Davy? Frances Power Cobbe has perhaps robbed John Stuart Mill, and George Eliot has earned her fortune and reputation at the expense of Anthony Trollope! If this is sheer nonsense—and we think it is—the same will hold true of the less noted brain-work which women supply in various departments, in which they would not be employed if the male portion of the community were on the whole losers by their work. Leaving Mr. Elliott's theories of labor out of the question, let us look at the facts of the case.

The woman who inherits no income has, in the first place, her bread to earn, and, possibly, several mouths beside her own to feed. She has no choice but to earn what she can, as she can, within the limits of honesty. She must do what she finds want-

ing to be done. Those who need her work must buy it at a possible price. No one will pay her for work which she cannot do. If she has a natural aptitude of any sort,—and most people have some rudimentary talent,—she will work to the best advantage by cultivating and exercising this, whether it shall bring her into competition with men or not.

In all this, necessary causes bring about logical results, which may cause regret and disappointment, but which give no just ground for complaint. One individual may regret to see given to another the work which he thinks he could do as well, or better. But, so long as the market is open, and the employer free, this will be to him merely a personal mischance, involving neither wrong nor obligatory remedy.

Negatively, therefore, neither the working-woman nor her employer has done any wrong to the working-man. But what is the positive result of her work to society? She has, in the first place, produced work to the full value of her wages, and probably beyond it. This society gains. By providing for herself, she has saved the cost of her support to the community in which she lives. This society also gains. She has also given to the community the example and influence of an energetic worker, instead of imposing upon it the burthen of a demoralized and demoralizing pauper. For all this Mr. Elliott will not thank her, if he is as good as his word; but her friends, neighbors, and relatives will.

But Mr. Elliott, and many like him, lay a particular stress upon some imagined absolute distinction between men's work and women's work. In their view, either Nature or Divine Providence has marked out two separate sets of tasks fitted respectively to the working capacities of the two sexes. From the tenor of their statements, one would suppose also that while women seek to invade the area of employment claimed by men, men are, on the other hand, extremely scrupulous about encroaching upon the sphere of women's labor. Such, however, is not the fact. Men do not hesitate to undertake any business usually conceded to women, if their natural or acquired talents enable them to do this to advantage. Nor do writers like Mr. Elliott trouble themselves to inquire whether the numerous Chinamen who are to-day engaged on laundry-work divert any money from the pockets of the washerwomen who used to monopolize the business. He does not ask whether Mr. Worth's

eminence as a dress-maker has or has not interfered with the gains of Mademoiselle Eugenie, or of Madame Talmyre.

The common assertion that men can do the work of women much better than women themselves shows that the absolute division of capacity which is supposed to exist between the sexes does not exist. Men can sew, embroider, wash, cook, dress hair, upon occasion. Women can teach, preach, keep accounts, set type, write books, paint, and model. They can even dig, carry stones, and split wood. The question in determining what either shall do is, first: "What needs to be done?" and, secondly: "Who is there to do it?"

If the farmer cannot spare any time from the hay-field, the farmer's wife must dig the potatoes for his dinner and her own. If the men of the village are fighting their country's battle, the women must tend the crops and reap the harvest. If the children are to be fed, and there is no father to provide for them, the mother must find bread for them as the wages of any honest work she can get to do. If the men are too busy with horse-racing and stock-gambling to care for the common weal, the women must occupy themselves with the health of towns, the condition of public morality, and so on.

If men only care to exercise the right of the elective franchise when by so doing they can put money into their own pockets, it becomes the duty of the women to exercise the neglected function of voting, and to supply the help which the ballot, in clean and intelligent hands, can bring to the solution of difficult questions, and the salvation of the State.

The subject of marriage naturally enters into Mr. Elliott's synopsis of the whole duty of woman. In his view, the growing education of women is so sharpening their wits as to make them keenly critical of men, and, therefore, undesirable as partners. "Marriage," says Mr. Elliott, "is becoming more and more dangerous." This remark of his brings into view some considerations which he entirely overlooks.

What more damaging statement can be made concerning the male sex than this which is clearly implied by Mr. Elliott, that the more women know of what is to be known, the lower will be their opinion of men?

The growth of culture undoubtedly makes marriage more difficult by making the institution itself more perfect and delicate. Will it be desirable to get rid of this difficulty by lower-

ing the standard of the institution to the rudeness and readiness of primitive society?

It would be happy, certainly, if human beings could at once mate easily and wisely. If the tides of fortune would only bring together the men and women who are united to each other, and who will be sure to know it from the start, marriage would certainly be a consummation devoutly to be wished for. Human experience tells us that the contrary is the case. "The course of true love never did run smooth," and if it did, true love is not to be met with every day.

Into this question of marriage there enter difficulties and proprieties too sacred to be passed over in any just view of the subject. From the very beginnings of society it is inconceivable to us that a woman should willingly unite her life with that of a man for whose companionship she has no inclination. With the growth of culture and the enlargement of freedom, such an act becomes more and more repugnant to our scheme of thought. In virtue of her maidenhood of character, a young girl should not contemplate marriage as a state to be entered into without the sanction at once of feeling and of conscience.

Mr. Elliott's view of the growing danger of marriage is formed upon the supposed development of the critical faculties in women.

Would men, then, be glad to destroy this growing power of discrimination in women? Have they everything to fear and nothing to hope from a judgment enlightened as to what a man should be? Is not this power also very useful to society? Have not many men had occasion to bless its exercise? Is it foreign to nature, and of new invention? Socrates was drilled, and probably criticised, by Diotima; St. Paul, by Priscilla; St. Augustine, by St. Monica. In the domain of romance, does not Shakespeare's Beatrice carry us back to a period some three hundred years anterior to our own?

One of the ill signs of the time is the growing inclination on the part of young men to withdraw themselves from the most improving of influences,—the companionship of intelligent and cultivated women. A wave of materialism sweeps across the world to-day which threatens to carry men and women in the direction of the animal savagery from which all races spring, but in which no race should be content to abide.

In fashionable life, rude and boorish manners are cultivated. Stupidity is at a premium, and the American gentleman of the

old school is replaced by the cosmopolitan cad, who, more unfortunate than the Bourbons, has forgotten everything and learned nothing.

These waves of folly come to us mostly from a civilization alien and inferior to our own. They have, no doubt, their deep determining causes, and their ultimate instruction. But, taken as isolated facts, and argued from, they offer no solid ground for a tirade against the higher level of mind and manners which has been attained through the better education of women.

In our view, the most dangerous marriages will be those irrational unions into which no thought of high companionship enters. Such marriages may be made without even the spur of personal liking, in which case they are miserable offenses against the true laws of human relation. They are less reprehensible, but scarcely less dangerous, when brought about by the force of a blinding passion, or the weakness of a frivolous fancy.

The improvement of education among women must needs lead them to entertain worthier ideas of marriage, and to give a more complete assent to the obligations which it involves. If it leads them also to seek and expect a higher standard of merit in the intimate companion of their life, the result can only be most beneficial to humanity. If the improved judgment of a woman shows her that a man whom she might marry is brutish, cruel, averse to reason, and deficient in conscience, she renders a service to the human race by not becoming a party to the transmission of his type.

There is an insincerity as well a falsity in the statement so often forced upon us, that the function of maternity should be the paramount theme of women's thoughts, and the supreme end of their lives. We have tried to show that, for civilized women, child-bearing is only justifiable under strict conditions of respect, refinement, and sympathy. This for the fact, but as for the feeling. Does any man of education desire to link to himself this creature trained to marry the first man who asks her, to bear as many children as possible, and to limit her interests and activities to the sphere of the kitchen, the table, and the wardrobe? Does any man in his senses wish to see this *muliebrous* animal take the place of the women who are the intelligent companions of men, who appeal to their most chivalrous sentiments, and stimulate their highest capacities?

That American men of education do not desire this, appears in their choice of a partner for life. That American men in general are of the same mind may be inferred from the very general desire on the part of husbands of all grades that their wives should be able to make some appearance in or above the circle to which they belong. The desire of the wives to come within the sphere of ladyhood really corresponds to the wishes of those husbands who have some notion of the value of social position, and of the share which women have in obtaining and maintaining it.

While Mr. Elliott's essay proposes to deal with the question of women's work and wages, it really gathers together most of the grievances of social life. His object seems to be to lay these before the door of the so-called Woman Movement, and to make its friends in some sort accessories, both before and after the fact, to most of the evils complained of. These are, the invention and use of machinery, and the consequent relief of women from the necessity of spinning and weaving, the competition of women with men for the means of self-support; competition itself, wealth, poverty, the danger of marriage to men and its infrequency, prostitution, the lost value and declining health of the female sex in general, and the perverse blindness of "some senators and some able women" in particular.

As Mr. Elliott has thus brought together many fallacious opinions, which have already been met with under various forms, it may be worth while to recede from the familiar ground which he occupies to the deeper thoughts and considerations which can make us masters of the situation. To conclude, then: Society is never insured against idleness and worthlessness in men and in women. Education, as well as the want of it, may cramp and distort the natural powers of the individual, and no doubt often does so. A woman may so over-stimulate her brain as to give it an excessive activity, which must be as injurious to it as to the rest of her bodily structure. It is quite imaginable that women should sometimes obtain employment which men would be glad to secure. It may also come to pass that women shall often mistake the measure of their own capacity, as men do, and seek employments for which they are not fitted. To all of these evils humanity is heir. Society looks them in the face, but as "every one is wiser than any one," society may be said to know some things which Mr. Elliott does not.

To wit: It knows that the sum of human capacity is constantly enlarged by the accretions of historic experience. The scheme of "what man may do," is constantly enlarged by the record of what he has already done. Civilization brings more and more into play the social and intellectual faculties, and places more and more in abeyance the animal and personal propensities. Out of this progress standards are evolved which commend themselves to the judgment of the few and to the affection of the many. From these, society as a whole does not go back.

Its tendency is toward the rational and the moral, though this main current is often disturbed by eddies of folly and of passion.

Society, taken at any time, is only partially civilized, only partially Christian. But a little civilization, a little Christianity, is infinitely better than none. The proverb says, that "a little learning is a dangerous thing," but it does not imply by this that none is better. The meaning of the trite saying is that it is ill when the man who masters the beginning of anything mistakes it for the end. Equally is it a mistake for us to view as final any of the developments of human society which excite our fear or disapproval. The solution of the mystery is beyond. The conclusion of the whole matter is neither with us nor before us. If Goethe could end the most wonderful of criticisms and of rhapsodies by exclaiming:

"The eternal womanly draws us on,"

we surely may rest in the belief that an immense value, vested in the maidenhood and in the matronhood of the human race, is destined to unfold itself more and more, and to enrich the future as it has enriched the past, only, if possible, more abundantly.

JULIA WARD HOWE.

The moral to be drawn from the story seems to be that the conspiracies of evil men can be defeated by the vigilance of good men. We believe that the exercise of corrupt influences over either judges or jurymen, directly or indirectly, is extremely rare. And we protest against the line of argument which seeks to condemn any political institution, because of its liability, under unfavorable circumstances, to occasional abuses. No piece of machinery, however perfect in theory and construction, will work even tolerably well if built of unsuitable or defective materials. Whoever assails any existing system must be prepared not only to point out its imperfections, but to propose in its stead some substitute of greater merits or less objectionable. It is, therefore, incumbent upon the opponents of trial by jury to state specifically what method of trial they wish to introduce in its place. We venture to affirm that they can offer no new-fangled contrivance that will not prove, upon examination, more vulnerable in principle and in its details, than the venerable institution they would displace.

The proportion of trials before a jury in civil causes to the whole number which are litigated has diminished considerably within a few years past.

For this there are several causes. The beneficial and enlightened alterations in the law of evidence, by which witnesses are no longer disqualified by interest, and parties to the suit can be examined upon interrogatories before the trial, and can appear as witnesses on their own behalf, and be placed upon the witness stand by their adversaries, have reduced controversies upon facts to those cases in which there is a substantial issue of fact to be tried. It is no longer possible, as sometimes happened a generation ago, to have a long trial proceed upon a false issue—a matter about which the plaintiff and defendant, if talking together in the absence of witnesses, would have had no disagreement. The pressure caused by the vastly increased volume of business has rendered courts less disposed to tolerate, and lawyers less inclined to indulge in, an unnecessary waste of time and breath. The Sergeants Buzfuz of the bar are much less important personages in the profession and before the community than they were a generation ago. Sonorous metal, sending forth a martial sound, has lost much of its market value in the law.

The reformation of equity pleading and procedure has greatly lessened the delays and expensiveness which were once a reproach

to that department of jurisprudence. Its principles are better understood by the bar and by judges; its excellence as a system of remedial justice is better appreciated; and it has attracted to its side of the courts a vast mass of litigation formerly disposed of on the common-law side before juries.

The statutes permitting parties to waive a jury and to have questions of fact determined by the trial-judge, which frequently require this course to be pursued unless one party or the other demands a jury trial by a prescribed time, have likewise much diminished the number of jury trials. But, after taking all these things into account, there remain an immense number of cases in which one or both parties insist upon the privilege.

A jury trial is necessarily a public one, in which the presiding judge states the questions to be decided by the jury, separating the law from the fact in dispute, and submitting the issues so distinctly that there can be no question on what grounds the decision is to be based. This separation divides the responsibility between court and jury, and makes the share of each clear to all who attend the trial, thus securing that publicity of judicial proceedings which is one of the greatest safeguards of their purity. Where law and fact are passed upon together by a judge alone, or where a whole case is heard before referees, this exceedingly great advantage is much less completely obtained.

Moreover, a number of common men belonging to various walks in life are, in most cases, better fitted to decide correctly ordinary questions of fact than any single judge or bench of judges can be expected to be. Their experience is more diversified, their knowledge of common people and their affairs, of their feelings, interests, modes of thought, and conduct, is greater than that of a judge can be, and, consequently, their conclusions are more likely to be right. The freshness with which they approach their duties is no disadvantage. An old magistrate, long habituated to decide particular classes of cases, becomes set and biased in his views, acquires prejudices very difficult to overcome, however honest may be his intentions. On a point like this, one must necessarily appeal to experience. What lawyer has not known police judges who meant to do their duty, but who, from force of habit and anxiety to let no guilty man escape, reversed in their practice the presumption of innocence, and tacitly asked of every one who pleaded not guilty, "What are you here for, then?" We are firmly persuaded that the verdicts

of juries are, as a rule, more satisfactory to all concerned — parties, counsel, and intelligent observers — than the awards of arbitrators or referees.

When judges do decide serious controversies of fact, or are called upon to determine questions of discretion, they show themselves no less fallible than juries. At least, such has been the experience of the writer, who, after the chagrin and disappointment of defeat had passed away, has been less frequently, seriously, and permanently dissatisfied with the verdicts of juries than with the decisions of judges on similar points. One of the most important instances in which judges are called upon to exercise discretion is in the length of sentences to be imposed upon convicts. And here the inequality and want of anything like uniformity or consistency are notorious. Many years ago a judge of learning, experience, and unquestionable integrity, was heard to say, "*Prima facie*, I think it is the intention of the legislature to have the maximum sentence imposed for a crime; starting with that presumption, I look to see what mitigating circumstances there are in any particular case, and how much should be deducted on account of them." The worthy old gentleman manifested some sense of offended dignity when asked "if he imposed the highest sentence in common cases, what more there was left for him to do in aggravated and heinous ones."

Criminal lawyers often exhaust their ingenuity to prevent a client from coming up for sentence before a severe judge, and to have him sentenced by a more merciful one. We have heard of a judge who recalled a sentence just publicly announced, and increased the term of punishment a year, because the unhappy criminal ventured to say in open court that he preferred one prison to another. Judges have power, responsibility, and discretion enough, without throwing upon them the burden of discharging the functions of juries also. Such is believed to be the almost universal feeling of judges themselves. If a jury goes widely astray in its verdict, the error is remediable by granting a new trial, which, in plain and gross cases, a resolute and conscientious judge never hesitates to do. An error in point of law by a trial-judge may be corrected before an appellate tribunal. But what power can revise his discretionary and irresponsible decisions upon matters of fact? It is no unimportant consideration that trial by jury affords a double chance

to prevent injustice, since both court and jury must go wrong before it can be consummated.

It is sometimes said that juries are swayed unduly by the eloquence and misled by the plausible but sophistical arguments of unscrupulous advocates, and that on this account some other mode of trial would be preferable. But the last word heard in every jury trial, is the calm, impartial charge of the judge laying down the law, pointing out the real issues, sweeping away sophistries, summing up the evidence, and recalling the attention of the jury to their duty. Moreover, experience has shown that judges are sometimes as liable as jurymen to fall under the influence of particular counsel of commanding abilities and fascinating personal traits, and the case of a permanent judge thus controlled is far more mischievous than that of a transient jury, which is soon dispersed, and succeeded by others perhaps more independent.

Again, it is urged that there are certain large classes of cases in which juries are habitually biased in the same direction; that in suits for damages for torts, and in all kinds of actions against corporations, they notoriously incline to favor the plaintiff, and render verdicts for excessive amounts and upon inadequate evidence. The charge that juries are prone to award extravagant damages against corporations may well be denied. In actions for personal injuries there cannot possibly be any precise standard of damages. The value of a leg or arm, or injured spine, is incapable of being accurately expressed in money. Jurymen, judges, referees, and assessors in such cases, vary widely in their awards. The same sum of money does not mean the same thing to a farmer as to a city merchant accustomed to great transactions. A dollar looks much larger to one man than to another. No two cases of injury are alike. It may well be doubted whether referees or judges would assess unliquidated damages with more uniformity than juries. And the presiding judge can always order a verdict to be set aside unless the plaintiff consents to reduce the damages to a sum which, in his judgment, is not excessive. In extreme cases, where the amount seems clearly exorbitant, no just judge will refuse to exercise this power.

The assertion that juries in this class of cases find verdicts for plaintiffs upon inadequate evidence, is probably better founded. Here, also, it is to be borne in mind that the plaintiff must make out a *prima facie* case before he is entitled to go to

the jury; that there is always a pre
judge whether there is evidence suffic
finding for the plaintiff, and that if th
submits to a jury a case in which he ou
verdict for the defendant, or to have no
his ruling in this regard may be reversed
court. With all these safeguards few very fla
improper verdicts allowed to stand would be ex
writer appeals to the *consensus* of opinion of judg
whether the general results of such trials before juries
just and reasonable as would be likely to be secured by
before judges, or committees, or referees.

There is, however, another view, not to be lost sight of, the practical importance of which is immense, but more easily felt than stated or logically justified. The object of the administration of the law is not to carry out inflexibly and unflinchingly the rules of inexorable logic, but to do substantial justice between parties. Human nature is not so constituted that it will long endure the rigid and unmitigated application of logical rules to the conduct of life in any direction. Law itself is never a pure science, but always a practical, applied science. And trial by jury in its essential principle is the right of the citizen to have the judgment of a free, impartial, and independent committee of his fellow-citizens upon the question of his guilt or innocence when accused of crime, and, in civil trials, upon any question of fact affecting his property or his pecuniary interests. One of its chief objects and most characteristic features is to "relieve against the procrustean application of legal technicalities." It is an institution invented to secure substantial justice, even by deviating occasionally from the strict application of artificial distinctions and logical rules. It rests upon the assumption that in the largest number of cases a satisfactory and just result will be reached, and the greatest good of the greatest number be promoted by intrusting the power of decision to a body of common citizens, casually selected from the community at large, without technical training or professional bias, and free from any sinister influences which may possibly affect permanent judges or officers belonging to a particular profession, and more in sympathy with the Government than with the people.

Now, the enormous and largely irresponsible power of great corporations is one of the most alarming facts connected with mod-

managers of many of these huge organiza-
be to a great extent destitute of any adequate
and obligations. They are accused of attempt-
ges and legislators, and of insolently and arro-
upon the rights of the people. But, though they
or regard man, they stand in salutary awe of trial
d the knowledge that they can be called to account
ve common citizens is far the most effectual restraint
they are subjected. When a board of railroad directors
considering whether to adopt some improved appliances—
pensive, but increasing the safety of passengers; when steam-boat officers are hesitating whether to comply with the statutes as to their boilers, or boats, or the number of passengers allowed to be carried on a trip; or when insurance managers are deciding whether to attempt to insist upon some technical but dishonest defense—the knowledge that ultimately their conduct may be publicly exposed in a court, and passed in review before a jury, has a most wholesome influence. And the citizen who believes himself to have been injured, or his rights infringed, and his just demands insolently defied, although conscious of the immense disparity between his own strength and that of his soulless adversary, yet feels unspeakable consolation in the thought that at last twelve honest men will decide on his cause. We go farther, and say that the entire community derives from this knowledge a sense of security and a confidence that substantial justice will prevail, which it would not feel if any other mode of trial were to be substituted for the jury system. We do not believe that there is any large English-speaking community in the world that would ever consent to abandon the privilege, even in civil cases, or would submit to being deprived of it without forcible resistance.

But some horror-struck objecter may say: Would you have juries disregard their oath to decide according to the law and the evidence given them, and render verdicts against the weight of evidence in particular cases, from considerations of general utility and public policy? By no means. When, however, substantial justice is promoted and salutary examples are set, the effects of which produce far-reaching benefits to the community, the circumstance that such results are attained at the expense of occasional departures from the rigid application of legal and logical rules does not, to our mind, constitute a very impressive

argument in favor of abandoning a system cherished for so many centuries, and attended by advantages so valuable and so incapable of being replaced by any equivalent substitutes.

Thus far we have regarded trial by jury chiefly as a part of the judicial system. It remains to consider briefly its value as a political institution. This is the aspect which De Tocqueville regards as far the most important.

No pages in his unrivaled treatise are more instructive or more replete with wisdom than those in which he speaks of trial by jury in the United States, considered as a political institution. We resist the temptation to quote largely from them, for every sentence deserves the considerate attention of every one interested in this subject. Men are best fitted for freedom by the enjoyment of the privileges and the performance of the duties of free men. Free institutions in their practical operation are the best educators of the people. The town-meeting, the popular assembly, and the jury-room are the true schools in which to learn political wisdom and acquire the capacity for self-government. A man who sits on a jury is a participator in both the judicial and executive branches of the Government. He assists in deciding upon the rights of his fellow-citizens, and his verdict is one step toward the vindication of those rights. No honest and decent man can occupy such a position without feeling a sense of responsibility which will increase his personal dignity and self-respect; he cannot fail, in the course of the simplest trials, to learn a great deal. How often does one hear intelligent citizens speak of their experience as jurors as of life-long benefit to themselves! Indeed, it is so not only by giving them an insight into the working of the judicial system, but by increasing that solid good sense and sobriety of judgment which is promoted by nothing so much as by acting in important affairs under serious responsibility. Well might De Tocqueville say that "the practical intelligence and political good sense of the Americans is mainly attributed to the long use which they have made of the jury in civil cases."

The way of wisdom, then, is not to abolish, but to improve and elevate the jury system. Let social s[illegible]ists and all good citizens direct their attention to securing p[illegible]er juror[illegible]s by further legal enactments where they are needed, and everywhere by the honest and faithful execution of existing laws. Let citizens drawn as jurors be made to feel that it is unpatriotic and dis-

graceful to shirk such a duty without the most cogent cause. Let any attempt to select jurymen in the interest of either of the parties, or to influence a juryman improperly, be carefully guarded against, and, when detected, severely punished.

Let it never be forgotten that a competent presiding judge is an essential requisite to every satisfactory jury trial; and therefore, let every effort be exerted to secure good magistrates by paying adequate salaries, by making their tenure of office permanent, and by adopting the best methods of selection and appointment. If these things are done, we see no reason why trial by jury should not hold its place for centuries to come, as it has for many centuries past, as one of the most valued and cherished institutions wherever constitutional liberty exists.

DWIGHT FOSTER.

SAFETY IN THEATERS.

THE liberalizing tendencies of modern thought, combined with the increasing demands for mental relaxation necessitated by the sustained and determined intensity of our business life, have augmented the patronage of the theater to an extent that almost surpasses our surprising development in other directions.

If we look back two generations we find only three or four buildings devoted to amusement in New York city, with an average attendance per night that could hardly have exceeded fifteen hundred persons. During the last season in that city some fifty different entertainments have been patronized by a nightly attendance of from twenty-five to thirty thousand people. Throughout the whole United States, it is safe to say that five hundred amusement attractions are usually presented to the public every day of the season, with an average patronage of about four hundred persons each. This calculation gives us an amusement-going public of two hundred thousand individuals a day. As the theatrical season generally covers three hundred performances to each house, the average annual attendance at the various halls and theaters throughout the country probably ranges to from fifty to sixty millions.

Considering the enormous number of lives continually submitting themselves to the perils of the play-house, the question of safety in theaters becomes one of national importance, and should engage the attention of legislators far more than it has done heretofore.

This question presents three sides:

First. Risks from faulty construction of walls and floors, protection from which should be insured by the integrity of our building departments.

Second. Risks from fire, for security from which we must look to our fire departments.

Third. Risks from foul air, freedom from which ought to be guaranteed by the vigilance of our health departments.

The shocking accident which occurred at the Madison Square Garden, in New York, some two years ago—when a portion of the roof and walls fell in upon the festivities of the Homeopathic Fair—served as a fearful warning to the building department of that city, and startled it into so full a consciousness of its responsibilities, and into such a conscientious discharge of its duties, that the danger from falling walls, or floors, is now exceedingly slight—so slight, indeed, that it is hardly worth while to devote any of the space at our command to the discussion of this side of our subject.

Fire is the disaster most dreaded by the public at the theater, and yet the insidious effects of poisonous air arising from bad ventilation, though less apparent, are more fatal, perhaps, than those of fire, for they often sow the seeds of incurable disease, and prove the final cause of more misery than all the fires that have ever overtaken audiences while listening to plays.

The measures whereby the public is to be absolutely secured from the danger of fire or foul air at the theater have never received the earnest attention they deserve from either our fire or health departments. Such terrible catastrophes as the burning of the Brooklyn Theater, and the Opera Houses at Nice and Vienna, sufficed for a time to direct the attention of fire departments to the faulty interior arrangements of theaters, but the earnestness of this attention has been so transitory, and the investigations that have followed have been so superficial, that it is very doubtful if there exists to-day a single place of amusement in the United States devoid of danger from fire, or one where safety, if fire occurred, would not prove due to good luck far more than to any proper preparation on the part of the management, for the accidents that fire is too liable to cause. As far as sanitary safety in houses of amusement is concerned, there is no instance on record of its consideration by any of the boards of health in this country, although it requires but little common sense to perceive the serious importance of this matter to patrons of the play-house.

The theater can and should be made entirely free from danger to human life, and a few suggestions as to the practical means of attaining this end will prove timely, if they serve to excite any more earnest interest in this subject among those who

make the laws, and who alone can secure to the public the safety to which it is entitled.

The burning of the Brooklyn theater—as a revelation of the dangers prevalent in our own community—is the disaster from which we have most to learn. The fire illustrated with appalling power the horrible possibilities that may overtake a crowd in buildings devoted to amusement. As it is the most conspicuous example we have ever had of the defects in construction and in management which render the theater dangerous, a brief study of its attendant circumstances cannot fail to be instructive. The Brooklyn fire, within a few minutes, converted over three hundred gay and joyous men and women into charred and horrible corpses, whose identity was obliterated by its relentless fury. It started among the borders that hang above the painted flats upon the stage, and spread with frightful rapidity among the dry and inflammable draperies in the rigging loft. The burning scenery soon fell in great masses upon the boards below, and the flames, having no outlet behind the curtain, burst through the proscenium arch, pouring vast volumes of smoke into the auditorium, where the audience, imprisoned by the pack in the aisles, and by the obstructing barricades formed by the seats, were suffocated before they could reach the doors, where air might have been obtained.

It is a fact worthy of special emphasis, that the immediate cause of death in disasters of this kind is asphyxiation, the flames not reaching the victims until a comparatively long time after they have fallen fainting and lifeless from the inhalation of smoke.

The primary danger at the Brooklyn Theater lay in the inflammable nature of the scenic department, behind the proscenium wall, but this danger was enormously reënforced by the character and arrangement of the seats, and the insufficient number of aisles allowed for the exit of the audience. In all these respects, however, the Brooklyn Theater was superior to most of those crowded by the public, during the regular season, throughout the United States.

Whenever a place of amusement is burned during the progress of a performance, the fact is most powerfully proved that there are two points especially dangerous in the present construction of theaters:

First. In the scenic department, behind the curtain, which is the most inflammable portion of the house.

Second. In the nature and arrangement of the seats, which impede the passage of the audience to the doors.

The Brooklyn fire had the effect, for a time, of almost emptying every place of amusement. For a few weeks it aroused serious attention to the question of safety in theaters. To Mr. Wallack is due the honor of being the first, and, as far as is known, the only manager who gave his attention to any practical investigation of this momentous question. Immediately after the Brooklyn tragedy, the writer of this paper assisted Mr. Boucicault in making certain experiments in the fire-proofing of scenery at Mr. Wallack's theater. The result of those experiments was so satisfactory that it was believed a method had been discovered of rendering fire impossible in the scenic department of the house. Tungstate of soda was found to be the best substance for this purpose, and Mr. Wallack's scenery was at once repainted with a solution of this material. Unfortunately, however, it soon became evident that, whereas scenery thus treated could not be burned, neither could it long remain scenery. Night after night the stage was covered with a fine dust very distressing to the lungs of the artists, and destructive to the furniture in the scenes. In a little over a week the paint had fallen almost entirely from the flats, the canvas of which had become ruined by dry rot. Experiments were continued, with the hope of overcoming the defects existing in the different solutions that had been tested; but, after many failures, the fire-proofing of the scenery was abandoned in disgust, and, the terror of the moment having passed away with the public, everything slipped quietly back into the old grooves, and theaters once more became as unsafe as though the ghastly horror in Brooklyn had never occurred.

The rigging-loft is filled with draperies called scenic borders. Among these hang long lines of gas-pipes, provided with many burners, constituting border lights. A net-work of wire covers these lights to prevent the borders from coming in contact with the gas-jets. To a large extent this net-work serves its purpose, but the heat generated by the lights is so intense that the rigging in the loft becomes dangerously dry and inflammable; and as the men on the fly-floors are obliged to work the rigging in great haste, in setting scenes between acts, a very little carelessness on their part is sufficient to start a fire.

No way has yet been found to fire-proof scenery without ruin-

ing it. Every hour, therefore, that the stage is lighted the risk of fire exists. The important points to decide are:

First. How best to limit the area of any fire that may occur.

Second. What construction of the stage department renders it least dangerous, in case of fire, to those in the auditorium.

Third. What constitutes the most nearly perfect preparation for the speediest extinction of any fire that may once begin.

The scenic department must, from necessity, remain the most dangerous part of the house, and the only way of confining any fire that may occur there, is to environ it with some material that will neither burn nor transmit heat. Tin and zinc are occasionally used to incase the wood-work about the stage and rigging-loft; but, as they both transmit heat, the protection of the wood-work would be more complete if thin layers of clay, or plaster-of-Paris, were placed between the metal and the wood. A mixture of papier-maché with clay and powdered asbestos, rolled into sheets from a quarter to half an inch in thickness and nailed to the whole of the stationary wood-work of the scenic department, would enable it to resist the fiercest fire likely to be produced by the burning of the scenery. The advantages of this preparation are its non-conductiveness of heat and its non-expansiveness. The great trouble with metal for fire-proofing purposes lies in its tendency to expand and tear away from the spot it is intended to protect, and also in its liability to melt, or to transmit heat to such an extent as to ignite the wood it incases. The papier-maché mixture neither melts, expands, nor transmits heat. If the entire scenic department were thus lined, the scenery might burn with impunity without imperiling its surroundings.

The second point, viz., the proper relation of the scenic department to the auditorium, is the one whose right solution most concerns the safety of the public.

Suffocation is the calamity most to be feared from fire in a theater. Make this impossible, and the worst results of panic will be avoided. A thick wall of brick usually does, and always should, separate the auditorium from the rigging-loft. If the proscenium arch, or stage opening, in this wall, is not larger than is absolutely necessary for the exhibition of the scenery, when the curtain is raised, then the whole space behind the proscenium wall can be converted into an immense chimney, through which all flame and smoke from a fire can easily escape. This is to be

accomplished by building into the roof, over the rigging-loft, a series of trap-doors, so weighted and fastened that they will fall open of themselves the moment their fastenings are released. If a curtain of zinc, or of the material already suggested for protecting the wood-work, be added to the above arrangement of the roof, then the means of securing an audience from asphyxiation in case of fire would be complete. The action of the roof-traps and the salamander curtain can be rendered entirely automatic by attaching their fastenings to iron pins, placed in the rigging-loft, and set in solder so softened with bismuth that it will be sure to melt in a temperature of one hundred and sixty degrees. Any fire behind the scenes, large enough to be dangerous, would very quickly melt the solder that held the pins, free the traps and curtain, which of their own weight would fall, and thus automatically open the roof and close the proscenium arch.

The audience having been secured from all danger of suffocation, the next point to be considered is: What constitutes the most nearly perfect measures for the speedy extinction of any fire that may once begin.

There are two resources for meeting this emergency, one of which consists in having at hand, and in working order, the best known means for extinguishing fire; the other implies the organization and training of employés for the wisest use of these means. Immediate command of water, at any point in the theater where fire can possibly occur, is the first thing essential for its extinction; to obtain this it is necessary to provide water pipes and hose in all portions of the house in the least degree inflammable. But this will be of no avail unless the pressure of the water in these pipes is sufficient to throw large streams from the hose to the points it is intended to reach. As the public reservoirs rarely supply this pressure, the surest way to secure it is to construct in some part of the theater a large air-tight tank, capable of holding from sixty to eighty thousand gallons of water. A small air-condensing pump should be attached to this tank, by the use of which the hand of one man can easily bring to bear upon the water in the tank a pressure of seventy pounds to the square inch, which is enough to throw a volume of water from forty to sixty feet, depending upon the size of the nozzle of the hose. If the tank is made thoroughly air-tight the test of the pressure by the pump once a

month will be enough to keep it constantly at the force desired. From the tank a large main duct should pass as near to the prompter's box as possible; at this point, a valve commanding the flow of the water should be placed in the pipe. This valve should be kept constantly open, so that the water would always be in readiness at the hose; but when, in case of fire, the water had done it work, the valve would enable the prompter—who should never desert his post while a performance is in progress—to instantly shut off the supply, and thus prevent the water from doing unnecessary damage to the property the fire had not injured. This valve is especially needful in case the theater is supplied with any of the automatic sprinklers which have lately been invented, and which it would be well for the law to force all managers to adopt. These sprinklers have been in use in many of our cotton-mills for several years, and their efficacy has been repeatedly demonstrated. A net-work of water pipes connected with the air-tight tank should be placed over the rigging loft. These pipes should be provided with the sprinklers, which are sealed with solder fusible at a temperature of one hundred and sixty degrees. If this arrangement were combined with the automatic roof-traps and curtain, the heat of any dangerous fire would immediately open the roof, close the proscenium arch, and start the water upon the flames.

The largest fire always has but a small beginning. Vigilance, an ax, and a good chemical fire extinguisher, are often all that is required to put out a fire, and prevent great loss of property. If we add these to the air-tight tank, hose, and automatic sprinklers, the equipment for fighting fire will be as nearly perfect as modern invention at present permits. And yet, with all these things provided, safety is far from assured, unless trained hands and cool heads stand ready to make speedy and intelligent use of them. The stage-carpenters, machinists, property-men, gas-men, ushers, etc., should be organized into a regular fire company. Some of these men should be detailed to the striking of the scenery, some to the use of the axes, some to the hose, and others to the extinguishers. To each man should be assigned his special post, and this organization being completed, the men should be drilled once a week by an experienced fireman, who ought to be detailed to the theater by the fire department of the city, and remain behind the scenes during

every performance, ready to command and direct the action of the men, should fire occur.

With every precaution for preventing, and every means at hand for extinguishing it, fire may break out and spread with disastrous consequences. The danger of this, however, would be very much diminished by the adoption of the idea presented above, which would give to the establishment a well-drilled fire company without causing any additional expense to its manager. It is exceedingly difficult to prevent the possibility of fire, but good management may so well prepare for it that its occurrence need cause no alarm to an audience. In the smaller cities and towns of the country, where paid fire departments do not exist, and where managers cannot afford to keep a corps of employés on hand, the automatic roof, curtain, and sprinklers would have to be intrusted with the office of securing the audience from suffocation, and the proprietor from any great destruction of property.

We now come to the consideration of the dangerous imperfections in the arrangement of the auditorium.

Seven persons of average size can pass abreast through an opening ten feet wide. When a crowd are hurrying from a house, it is probable that two rows of seven persons each will escape through a passage of this size in each second. In thirty seconds, then, four hundred and twenty people would pass through ten feet of exit-room, and as the largest theater in this country does not permit of the seating of more than one thousand persons upon any one floor, it would appear that thirty feet of passage-width to each floor would be more than enough to empty our largest house in half a minute. In consequence of the confusion, and the obstructions occasioned by a panic, however, it would be safer to double the proportion of room in the above calculation and allow ten feet of doorway to every two hundred seats. There are very few theaters that would be found lacking in this respect, while there is not one, at present, in which the arrangement of the seats themselves is not a source of danger,—for the real difficulty in emptying a theater is not caused so much by the limitation of space allowed for the exits as by the fact that the passage to the doors is blocked by the seats themselves, and by the wedging of the crowd, in their haste to escape through the aisles. To obviate this difficulty seats should be placed in the auditorium capable of converting the floors into

a series of aisles in every direction, whenever the audience desires to leave the house. Seats of this kind would remove the most perilous point in the play-house; for in the rush of a crowd many are crushed to death, or rendered insensible by being pressed against the present immovable rows of chairs or benches.

Regarding the pernicious effects of bad ventilation, we can realize their danger more completely, perhaps, when we reflect that to none is the entertainment of the play-house so grateful, or so beneficial, as to those whose vitality has been impaired by the tyrannous pressure of business affairs, and yet to none is the theater — as generally constructed — so dangerous. This is owing to the fact that, in almost every place of amusement there is a lack of ventilation, which is extremely deleterious even to those in full health, and exceedingly dangerous to those whose depressed vitality renders them the easy victims of the blood-corrupting air which accumulates from a crowd confined within walls.

If the condition of our streets and the regulation of the plumbing in private houses are proper matters of regulation by our boards of health, then, emphatically, the ventilation of the halls and theaters, wherein the lives of millions are annually exposed to insidious poisoning from foul air, is a fit subject for investigation and governmental control. In short, if legislation would bestow upon our fire and health departments the same power to secure safety to the public in their respective spheres of control that it has already given to our building departments, then the theater could be made absolutely free from every species of risk to life. To realize this security to the public, laws should be enacted, and enforced, obliging all proprietors of buildings constructed for the accommodation of a crowd to conform to the following rules:

First. To veneer all the wood-work in the scenic department with some fire-proof composition sure to protect it from any fire that may occur in that inflammable portion of the house.

Second. To construct in the roof above the rigging-loft large trap-doors, so weighted that they will fall open of themselves the moment they are unfastened. Their fastenings either to be automatic, or easily controlled from the prompter's box.

Third. To hang an automatic fire-proof curtain in the proscenium arch.

Fourth. To provide an air-tight tank with air-condensing pump attachment, capable of holding water enough to extinguish any ordinary fire likely to start during a performance, which shall be connected with a plentiful supply of pipes, furnished with automatic sprinklers and hose, on every working, or fly-floor.

Fifth. To keep in working order two fire-extinguishers for every working or fly-floor.

Sixth. To supply two axes to every working or fly-floor.

Seventh. To organize all the employés of the house into a fire company to be drilled at least once a week by a competent fireman detailed to this duty by the fire department of the city.

Eighth. To adopt a seat that is capable of converting each floor in the auditorium into a series of aisles at any time.

Ninth. To provide the best known system of ventilation for the auditorium.

Tenth. To allow ten feet of exit room to every two hundred seats on a floor.

These should be the ten commandments of government to amusement managers, the breaking of which should entail a speedier retribution than usually follows the violation of those of Moses.

STEELE MACKAYE.

THE PRETENSIONS OF JOURNALISM.

A FEW years ago thinking men were agreed in grouping the dominant forces of our civilization in three great estates,—the Family, the Church, and the State. These were coördinate, sharing congenital authority and responsibility. All inferior agencies were reducible to this generalization. Nothing essential was left unaccounted for,—nothing merely accidental and contingent included. To-day a fourth estate asserts itself,—journalism,—and plants itself beside, if not above, the ancient three. It is confessedly of yesterday. It wastes neither time nor breath in establishing its legitimacy. A latter-day parvenu, its ephemeral flutter, its perpetual coming and going, its very iridescence of transiency and unresting flux, constitute its *raison d'être.*

It has a short root, no accumulations, and no treasury in the past. It is without traditions or precedents, is without organization or corporate relations. It has no prescience, and no clearly ascertained heirship in the future. Like the chorus of the old tragedians, it lives, moves, and has its being outside the unfolding drama of growing civilization, and is only impersonal voice —comment. Its illumination is cold, auroral, spectral, as of the cerebrum. The radiance of the heart kindles it, if at all, at long, rare intervals. This is, in substance, its record of itself.

There is no question as to its development. It is at the same time logical and symmetrical. The "News Letter" of Addison and Steele and journalism of to-day, the link-boy and the electric light, the lumbering stage-coach and the lightning express train, the cross-bow and battering-ram, and dynamite and the steel-armored frigate, all represent the movement of generations with correlative ratio. Journalism, as the trusty collector and dispenser of news worth having, is easily understood. There is nothing mysterious or inscrutable about it; nor need we won-

der that it multiplies its offices to keep pace with the demands of a civilization all the while branching out in unwonted refinements and perpetual elaboration. Plainly enough, its development is its own justification. It is here because the world has need of it. Commerce, conquest, discovery, invention, learning, are chief among its subsidiaries. The telegraph, stretching out into all the far-off crannies and interstices of this vast globe, is become its untiring familiar. Councils and cabinets of monarchy and republic, machinations of communist and nihilist, hidden conclaves of Holy Church, lodges, and leagues, with grip and countersign, withhold no secrets of word, thought, or deed from this irresistible absorbent, which penetrates all places and conditions like electricity itself. Journalism has become, in very truth, a spectroscopic panorama, wide as human experience, taking perpetual cognizance of the unending day which follows the revolution of the earth. In whatever its glory and greatness may consist, no man can now measure or adequately extol them. Its houses are palaces. The Jesuit himself can impart no finer secrets of discipline and subordination. Specialists of consummate ripeness and culture in all departments of knowledge wait upon its bidding. The laureate with his chastened measures, the novelist of both hemispheres, the patient compiler, the imperative, sure-sighted critic, every worker whose deeds are permanent and memorable — these all bring their best in tribute to journalism; and there are golden seasons too, and open doors to great reputations and distinctions within its Briarean reach.

But there is polarity in all things, and so we shall find it proportionately developed in journalism. They who best value its energies and most wisely applaud its achievements, soonest mark its infirmities, and most sorely bewail its perversions and pretensions. Not that it is altogether prudent or judicious to formulate such convictions, for journalism is not habitually patient or magnanimous under the most considerate criticism; and Lynch law, after its kind, retaliates as naturally among the metropolitan "dailies" as among the mining-camps of the Rockies. There is a deep and growing belief, however, that there are fundamental failures in journalism, that there are portentous and perilous abuses of function and misconception of duty, that there are infringements and intrusions, both insolent and incendiary, together with pretensions that threaten private right and public well-being.

In all this there is no issue raised with journalism itself. Its failures and abuses alone are in question, and of these every man should judge and speak without fear or favor.

In the outset we are confronted with its growing insincerity and duplicity. Who ventures, now, to go to journalism for direction in the tangled issues of the day? For journalism has become, very generally, the voice and echo of party—the veriest slave of the "Ring," that leprous excrescence of modern municipalities. There is no longer a patient, lucid discussion of underlying principles, as in the days of the old "Federalist." Party organizations have come to find their focal points no longer in principles and measures, but in men and spoils. Patriotism seems to have utterly gone out of politics, and left ravenous lust of office, plunder and power, as the sole centripetal, organizing forces. Journalism cannot rise higher than its fountain-springs of subsistence. It, in turn, is in subjection to cliques of traders and manufacturers, and rings of stock-gamblers and monopolists. The "great dailies" are often reduced to the business of as many organs, turning out their prescribed ditties according to the pleasure of the master-grinders. How many of them shamelessly, even ostentatiously, wear the sinister livery of servitude to this or that money-king! What pregnant secrets of partnership and mastership might not be excavated from among the fiscal records of these lordly and imperious establishments! Will a discreet man learn his lessons in politics, of men and measures, will he square his investments after the leadings of current journalism? How shall it expose and denounce the sly tricks and spoliations of directors and monopolist-officials, in the plundering and dilution of stocks which are the people's properties, in the perversion and defiance of legislation, in the violation of charters, in the unsettling and destruction of values by "corners" and "combinations,"—the ghoul-like tampering with food and fuel between producer and consumer—how shall journalism undertake to do any or all of this while it is lawful thrall and property of "ring," clique, "corner," or monopolist? Clearly, a power greater than journalism has thrust a golden ring through its nose and leads it, exclusive chattel and creature. And what can journalism, manacled and branded as private property, or in bondage to its advertisers, say bravely, or worthily, or trustfully, about anything, so long as its fetters chafe and constrain? A voice that has its price on 'Change can

no longer be depended on as guide and monitor for the people. Until journalism breaks loose from all equivocal and venal affiliations, it must be shorn of its moral dignity and content itself with a languishing and spasmodic influence.

There is, further, a growing dogmatism and imperiousness of utterance, a stretch of the judicial function, altogether at variance with its limitations and constitution; for journalism never deliberates, always shoots on the wing, plumes itself on the *extempore* quality of its conclusions, boldly improvising where slower wits advance with cautious painstaking, and falling back upon some reserved monopoly of intuition where the people hesitate and consider. For journalism is nothing unless it is immediate, "quick as a wink," in its methods; so it anticipates and supersedes all slow-going plodders. Is there an entanglement in diplomacy at Berlin, at the Bosporus, at Lima,— anywhere? The next morning's editorials have solved all perplexities, unraveled all intricacies, and henceforth there is plain sailing. Are the British Cabinet and Parliament, and people too, tormented and baffled with a certain Irish landlord-tenant question? Journalism bristles with ultimate decisions, cut and dried, and warranted specific for any emergency. Indeed, it is become a standing wonder to simple minds why these bewildered parties with such blundering obstinacy shut their eyes so steadily against these head-lights of journalism! The four years' horror of rebellion and civil disintegration was, at any given stage from Sumter to the final collapse, under the finality of the same mysterious power; and at any moment the belabored Executive might have found relief and victory under its direction. The unprecedented campaigns of the great German-French war advanced under a continuous cross-fire of journalism, and Von Moltke's profoundest strategy suffered from its scathing censures, until, under some contingency, Paris was engirdled and the treaty of peace and conquest duly signed and ratified. A melancholy instance of this insolence of dogmatism was developed while the life of President Garfield was in hourly suspense. Journalism took the case in hand, crept into the sick man's chamber, into the memorable Long Branch train, into the seaside cottage, into the councils of attending surgeons; buttonholed nurses, servants, apothecaries; followed probings, incisions, dressings and prescriptions, with oracular comment and unabashed dogmatism, until it almost came to appear that

journalism actually had the case in hand, and, under different conditions, might have rescued the heroic sufferer. Men grown gray in field and hospital surgery, practitioners of world-wide reputation,— all went for nothing. Science with its utmost penetration was rudely jostled, and then ignored. But journalism kept up its effrontery and pretension until the last, with its perpetual diagnosis and prognosis, its bulletins and decisions — a long drawn-out torment and aggravation to the suffering people, a scandal and offense to the medical profession at home and abroad.

This disposition is specially active when critical causes involving weighty issues are undergoing adjudication in the various courts. It is not without significance that judges habitually caution juries to avoid "the papers." For there is a double trial progressing, one before the constitutional authorities, and another before the juries of journalism. Who can undertake to measure the deleterious results of this meddlesome, incendiary intrusion? If justice is the end sought, the judiciary is either competent, or it is not. There is constitutional presumption, however, of its absolute competency, notwithstanding journalism steps boldly into the halls of justice, sits down beside the "enthroned majesty of the law," tampers with testimony and procedure, muddles and inflames public opinion, sometimes unsettling the stability of jurisprudence by its own antagonistic verdict, even converting the criminal into a martyr, or robbing the innocent of due vindication. A flagrant example of this maladroit temper is the latest, and a distinguished jurist in Washington, before whom the Government prosecution of the Star Route frauds is now going forward, has placed on record his official protest against the dangerous and revolutionary intrusions of journalism. Indeed, it is quite conceivable that such a condition of public opinion might come to exist as should virtually nullify the judiciary, and, for the time, make place for the anarchy of journalism.

As conservator of language and literature, journalism is deeply in default Under some insidious "blood-poisoning" at the "wells of English undefiled," or some malign infatuation, it now runs to coarseness and slang. No scholar questions the use and value of strong words and popular idioms. They go into the bone and sinew of expression — give it momentum and penetrative energy. But there remains a necessary instinct of

selection and discrimination which rejects coarse, clumsy catch-words and strong phrases of toil and traffic, which insists upon a pure coinage of unadulterated and legitimate quality. Journalism, in the hands of the educated and thoroughly schooled, has no need of meretricious and slovenly by-words and expedients. The English of Cobbett and Franklin, of Landor, Newman, Hawthorne, and Webster, needs no reënforcement.

Every-day journalism spreads farther and wider its corrupt, mongrel vocabulary, and words and phrases are found in editorials and the honor-places of the foremost "dailies" which no liberality of scholarship can excuse or tolerate. English journalism, until very recent date, seems to have escaped this epidemic; but, at home, since the death of Bryant and Ripley, journalism has, little by little, fallen into loose ways, until recklessness of statement, exaggeration, contortion, distortion, and chronic hysteria have come to mar the fair beauty and symmetry of idiom and construction. A long, repulsive memorandum of bad, spurious words,—very "tramps" of speech, slang phrases and idioms,—lies before us while we write, recently gathered from leading editorials of the "great dailies"; and there seems no promise of purer usage until this present rage for eccentricities and sensationalism passes away.

A far graver matter is the attitude of journalism toward public morality. In its business of news-telling it has come to drop all distinctions between wholesome, necessary intelligence and that which corrupts and contaminates. It has lost the old sensitiveness and reserve concerning sex, and has become habitually guilty of indecent exposure of transactions and behavior from which healthy souls shrink in disgust and abhorrence. Journalism has no immunity from the general laws of modesty and purity, and no man may rightly print and publish that which he would not tell his wife and children face to face. Our "dailies" at present are rarely fit for home-reading without thorough expurgation. The minute and filthy reports of scandalous trials alone constitute a flagrant and unpardonable offense against public morality, and should be made indictable and subject to sharp and severe penalties. Mr. Comstock and his associates are busily wiping out, here and there, sly, furtive driblets of vicious and obscene literature; but what can their little mops achieve against this perpetual, foul flood-tide of journalism? The Hayden and Malley trials suffused the whole community

with their deadly infestations. Who shall antidote or disinfect after such contagion,—what moral prophylactic resist the virus of such soul-poisoning?

Journalism has thus become propagandist of all manner of indecency, unnamable outrages and crimes of most shameful sort, that breed from the very telling. It forgets that ten thousand things are taking place all the while which are rightly and necessarily veiled in wholesome secrecy; that nature hides the viscera and vital processes, as cities bury sewage and all manner of offensive waste. Yet journalism plucks off the roof, and pulls down the walls and sheltering partitions, and wantonly lays bare all defilement and consuming lust of poor human nature, as if it were, forsooth, a beneficent and philanthropic duty. This is neither a healing nor a purifying process. It is a perpetual stimulant to pruriency and vice. In its very essence it is degrading and seductive. It is a disclosure of the under-world at low tide, when all hideous, excrementitious, sickening things are made manifest, and pollution fills the air. The moralist and philanthropist together cry out against it as a crime. These and the Christian churches have a rightful voice in the matter, and justly demand a hearing. In our great cities are groups of men and women desperately grappling with the "social evil," reaching out saving hands to the falling and fallen, through "midnight missions" and "houses of mercy." What is journalism doing for them? And yet pugilism, with all the multiplied abominations of the "prize ring," fills column after column of these "leading dailies," and the shocking details of brutal encounters, worked up with professional elaboration, are flashed over the wires of the "Associated Press" into every nook and by-way of the land.

In this connection "hanging days" at once suggest themselves, when journalism magnifies its office in a melodramatic "improvement" of these frightful occasions;—following the condemned, from the setting of the grim death-watch, with sleepless eyes and vampire persistency, at meal-time, catching every chance or privileged word, intruding upon the closing solemnities of religion, and winding up at the foot of the gallows with the last convulsion of the dangling victim before the ghastly business is over. These, indeed, are journalism's fattest days, when millions, through its eyes look upon terrors and abominations no prison-walls are high enough to hide or wrap

in merciful secrecy. No hero or statesman breathes his last with such oppressive *éclat* as the vilest murderer at his rope's end. Not that justice should do its work in a corner, or the terrors of the law be shorn of their fierceness. Only this: that the world has not at this late day to learn the paralyzing sequences of all brutal exhibitions on the general conscience, whether of legalized executions, or bull-fights, or the prize-ring. Yet it remains for journalism to make profitable account of these pest-breeding plague-spots, putting money in its purse, while the people wonder and grieve.

With the elaboration and subtle organization of its forces, journalism has developed an inordinate hunger and thirst for gossip; indeed, we are in danger of becoming a nation of gossips. Trifles, trivialities, and tattle, like the plague of locusts and grasshoppers, swarm through the columns of our "leading dailies," and the more commanding and lordly the journal, the stronger and steadier the pressure of gossip. Mr. Emerson, with his characteristic certainty of touch, laid bare this infirmity when he said, in substance, that no one could afford to lay down Plato to give time and place for the chaff and litter of the "dailies." The village bantling, with its scant hundreds of readers, plays "Asmodeus" in its own little way; and the insufferable particulars of back-doors and farm-yards, the monstrous calf, the inevitable snake-story, the collisions of bruisers and disreputables, the coming and going of the innumerable nobodies, the raiding of a melon-patch or a dozen silver spoons—all are duly and industriously woven into the diurnal web of "local items," "paragraphs by the way," and served up to the omnivorous people. Such papers become neighborhood "exchanges," where everybody and everything are rudely placarded, pilloried, and stripped in stark notoriety. The vile influence spreads and penetrates, and little communities become trained in detective service so effectively that the social atmosphere grows asphyxiating and intolerable. Hundreds of these gossip-breeding sheets lately passed under review, one after another, and the same Little Peddlington temper buoyed them up with local miasmas and malarias.

Apply the same experiment to an armful of the "great dailies" gathered from the cities—North, South, East, and West; run the pencil through telegrams, letters, and items, which are confessedly sheer gossip in which a healthy public intelligence can

have not the remotest concern, and a full third of the letterpress disappears. All this is worse than waste; and busy people must grope and worry through it,—a very sargasso sea,—hunting out the currents of legitimate and useful news. That the virus spreads is plainly demonstrated in the latter-day nuisance of "interviewing," with its indelicate and offensive parading of personalities, of appearance, presence, and conversation. Even the sanctities of domestic life and marriage suffer violence, and profane eyes become as familiar with bridal trousseaux as the ladies' maids themselves. The same hungry eyes peer into private houses, study banquets, balls, teas,—read the tempting *menus* by this great caterer, criticise the "decorations" by that crack florist, note the brands of champagne, audit the very sum-total of the outlay,—very much as spectators in the parquet and boxes dwell upon scenes and tableaux behind the theater foot-lights.

It is, of course, urged that competition and the insatiable hunger of the people for such disclosures force journalism into such contemptible straits in these untidy directions; and that if people insist upon gossip, the papers must supply it, or go to the wall. This is of the same piece with corner-dram-shop logic, and the thrifty conservation of the tippling interests. It is a pretty circle, to wit: the papers promote and feed gossip-hunger, therefore they must provide for it!

There is a further gravamen in the encroachment of journalism upon the Christian Sunday. It goes without saying that, if journalism has any religious convictions, they are too often negative and colorless; and that ecclesiastical outlaws find easier access and warmer welcome within its *penetralia* than evangelist or churchman; and, further, that the most thoroughly reported speakers of the day are anti-Christian eccentrics and revolutionists. But Sunday journalism touches the public yet more deeply in the same direction. It is of yesterday, yet it has spread like prairie-fires, until it has captured nearly every city in the land. It does not proceed upon any alleged short-coming or incompetency of the pulpit. It does not pretend to be religious, like the sacred Sunday concerts, with their opera-bouffe programmes. Nor does it propose to reënforce or supplement the preacher and evangelist. It is avowedly and offensively secular. It is a direct and deliberate bid for the popular eye and ear in competition with the pulpit. It is a marvel of sagacity and catering, with its spiced dainties and luxurious *menu*. No week-

day issue spreads such a table. It is simply a masterpiece of diversion and entertainment. Its make-up is the triumph of seductive art. Memorable verses, brilliant tales and novelettes, racy gossip, with salacious flavorings of mischief and scandal in high and low life, sea-flittings and watering-place delights, oddities and outlandish provincialisms, provide a whet and stimulant in every column. There is small profit in urging that the pulpit is not *raconteur* at large, has other business than diversion and recreation, that it does not undertake to deal in narcotics or exhilarants of the sensuous kind, that it does not act upon the same plane, nor in the same sphere with journalism. Certainly no rivalry or competition can exist between them. But the pulpit may suffer violence and sinister outrage; may be coughed down or derided by profane invasion. Dull sermons alone are not emptying the churches; but Sunday journalism creeps into houses before breakfast, and spins well its web of thrall and glamour before morning service. More than half a million of these anti-church emissaries are peddled from the metropolis alone every Sunday, and the same kind of work is going on in every considerable city in the Union, until their malicious influences, reaching out from many centers, everywhere touch hands. Theaters and drinking-saloons, with most places of traffic and industry, are closed on Sunday. It remains for journalism alone to resist the unanimous conclusions of Christian people and profane the Lord's day in its greed of gain.

Our critical and review literature abounds in surprises and humiliations. In the outset we are confronted with the influence and wide diffusion of the English reprints,— all, from time immemorial, boldly "appropriated" in some high-handed way, which elsewhere might be pronounced pillage — plunder. For generations the great English reviews and quarterlies, cheaply reprinted, have formed the staple and substance of our scholarly reading. Many of our most serviceable and widely circulated "weeklies" and "monthlies" draw their entire contents from foreign sources. The later English periodicals — the "Nineteenth Century," the "Contemporary Review," the "Fortnightly" — are already added to our list of cheap reprints, and bring us the freshest, strongest work of living writers abroad, at a trifling cost, for our libraries and reading-rooms.

With some misgivings, we must admit that even the NORTH AMERICAN itself, Nestor, *facile princeps*, in our own review

literature, represents no school or well-spring of thought or conviction. It has the lithe bearing of an athlete or free-lance in letters, without philosophical or religious affiliations;— proves to be, in fact, a sort of academic rostrum, giving place in turn to all types and patterns of idealists, scientists, publicists, intellectual busy-bodies in general, in motley, puzzling procession. Like the deliberate and preparatory discords of the musician waiting in perpetual suspense for due harmonic resolutions which never follow, the NORTH AMERICAN registers the clashing, contending forces struggling at white heat in our social evolution, without once giving cry of "land ahead," where solid foothold is waiting at last. "Blackwood," "The Westminster," "The London Quarterly," represent from the outset a logical, coherent literary history. Gifford is written as firmly into the literary history of his times as Junius or Erasmus; so is Christopher North. But where shall we look for parallel lines at home?

Here and there a safe, snugly-reefed "denominational" review holds its monotonous course along Dutch canals or easy inland waters, drowsily unconscious of the great outlying world-life, itself unfeeling and unfelt. But we look wearily and in vain for large, roomy places, where academic and university culture may ripen their best fruits and find welcome in harmonious, well-blended fellowship; where there may be concentration and conservation of moral and intellectual energies beating from a common heart and lighted from the same altar-fires. If we *are* children and represent a civilization still in roundabouts, as certain Old World wiseacres fondly hint, the strongest presumptive evidence of it lies in the history and actual condition of our journalism of scholarship and criticism.

For it must be admitted that our most noteworthy achievements in this direction lie in our great pictorial monthlies,— picture-books, in short,— which overspread the Continent and have effected a lodgment in Paris and London. These, confessedly, owe their *éclat* rather to the burin of the engraver and the invention of artists than to the inspirations and fascinations of literature. A new canon of criticism comes with the new departure, for it is no longer inquired whether a contribution is well-freighted with thought and knowledge — whether it touches fresh springs of suggestion; but, "whether it will illustrate well," — "whether the Etchers or the Palette Club can make anything out of it."

Illustration is vital to literature, beyond question. But there are two kinds : one is esoteric, glowing within the texture of literary work, quickening and kindling all minds with weird witchery, as in "Comus," "The Tempest," "Noctes Ambrosianæ," "The Marble Faun." Such work is structurally illustrated with living pictures adapted to the varying fancy or capacity of each reader. Then there is another kind, which is purely explanatory, statistical, cicerone-like, too often helping out feeble idioms and pulseless periods, making up for intellectual sterility and dryness by a costly profusion of vignettes and sketches. These monthlies too steadily lean toward this latter direction, trusting to the attraction of strong pictures outside the letterpress, rather than to articles which contain their picturesque qualities, as flowers contain their hues and fragrance. Hence it is that, while hunting for intellectual refreshment and invigoration, we are put off with decorative expedients, a metaphorical powdering and rougeing to conceal the absence of characteristic graces; that editors are driven to make much of realistic work of any kind which opens up business for the engraver. So we have a thousand facts, studies, characteristics, reported in most expensive and elaborate pictures, which, while they edify the simple and illiterate, supply at best only a mild recreation for the thoughtful and educated. These great monthlies press and push for the front, not in the large, chivalrous rivalry of letters, but for the latest sensation in *chiar-oscuro*, the exhibition of a new "manner" or "ha ıdling" of some pet engraver, the exploiting of some fresh and unhackneyed designer. Our critical and literary journalism lies, as yet, in bondage under provincialisms. That somewhat nebulous quantity, the New England mind, Knickerbocker traditions, "the Great West," the imperious "South," and now the vaunted "Golden Gate," each in turn leaves a narrowing, astringent impress upon the literary and scholastic outgrowth of our day. Perhaps it will be time enough to look for the characteristic journalism of our people and institutions when libraries, museums, art galleries, and symphony-oratorio halls are well distributed, and doing their slow but fundamental work among the masses. Its future is necessarily a matter of puzzling, yet very hopeful conjecture. Evidently, however, before journalism stands unchallenged as a supplemental fourth estate, working out the great problems of a regenerated society in harmony with the family, the church, and

the state, there must follow a radical paring away of many hurtful, jarring elements of misdirection, and a wiser recognition of its responsibilities to the permanent interests of civilization.

In the spirit of no blind optimism we may forecast that day in which there shall be full deliverance from all partisan political bondage, with great truth and fearlessness of utterance; a duty and dignity, star-like in their exaltation above the foul handling of ring, corner, or monopolist; an unswerving conscience of paramount fidelity to the people in the promotion of culture, purity, and true manliness. Its light shall not lure men to evil, but shine full and fairly on all highways to better, nobler living.

All holy, wholesome influences of family, church, and state shall turn toward and rejoice in that light as fields and vineyards rejoice in the sun, until, in the ripening of times and epochs, wafted to every home and heart, its multitudinous leaves shall help for the healing of the nations.

GEORGE T. RIDER.

THE SUPPRESSION OF VICE.

MR. COMSTOCK.

In the year 1872, being then a salesman in a mercantile house, I found that many of my former associates had been morally ruined by demoralizing publications, while others of them had been arrested for peculation from their employers, in order to indulge their passion for gambling. On investigation, the fact was developed that there was a very large and systematic business, of the most nefarious character, carried on to corrupt and destroy the morals of the young. With the first arrests which I caused to be made came strenuous opposition. I soon learned that there were one hundred and sixty-five different books of the vilest kind published in New York and Brooklyn, and four thousand dealers engaged in disseminating this matter all over the country. I had neither money nor influential friends, yet I resolved that "something must be done" to save the youth, and, knowing that the Young Men's Christian Association was founded for the purpose of helping and saving young men, I invoked the powerful aid of that organization. Providentially, as I believe, my letter fell under the eye of Morris K. Jesup, Esq., who personally sought out the writer, and, having acquainted himself with the facts, not only furnished means with which to carry on the work I already had commenced, but also called a meeting of prominent citizens to deliberate upon the questions involved. At this meeting a committee was appointed to direct and supervise the work; but soon it became apparent that the evils to be warred against were of such a magnitude as to demand a more effective organization, and accordingly in the ensuing year the Society for the Suppression of Vice was founded. It was incorporated by the Legislature of the State of New York, May 16, 1873, the incorporators being Morris K. Jesup, William E. Dodge, Jr.,

Howard Potter, Jacob F. Wyckoff, Charles E. Whitehead, Cephas Brainard, Thatcher M. Adams, William F. Lee, J. Pierpont Morgan, J. M. Cornell, Elbert B. Monroe, George W. Clark, Cornelius R. Agnew, and R. R. McBurney, of New York; and Moses S. Beach and Henry R. Jones, of Brooklyn. Since its organization about two hundred and fifty gentlemen of equal respectability have been added as members.

The title of the society shows its object—the Suppression of Vice—"the enforcement of the laws for the suppression of the trade in, and circulation of, obscene literature and illustrations, advertisements, and articles of indecent and immoral use, as may be forbidden by the laws of the State of New York, or of the United States."

About one-half of all the crimes which it is the province of this society to suppress are perpetrated through the agency of the mails, and consequently, since March, 1873, the chief agent of the society has been commissioned a "special agent," or inspector of the Post-office Department (without compensation), charged with the enforcement of all laws prohibiting the transmission of obscene matter, and the conduct of the business of lotteries and fraudulent schemes, through the mail.

Our agents, when appointed by the sheriff, are "peace officers" under the provisions of the Code of Criminal Procedure. So much for the objects and powers of the society. We come now to consider the methods it employs for the attainment of its objects.

Our aim has been to procure the enactment of good laws against these crimes, and then vigorously and zealously to enforce them. The question here occurs, Having secured these stringent laws, how have you carried them into effect? We answer, by the same methods which have ever been employed by zealous ministers of the law, and in entire conformity to the lines of procedure approved by the courts long before we came into existence as an organized society. We hold it to be our duty simply to see that the laws are executed, both the State laws which prohibit any person selling, lending, giving away, exhibiting, or having in his possession, for illicit purposes, any obscene book, picture, pamphlet, paper, etc.; and the United States law, which prohibits depositing, or causing to be deposited, such articles in the mails; together with the laws against lotteries and gambling.

The first element in a case under these statutes is information that a crime is being committed. This is found most frequently

in the public advertisements in the newspapers, or in printed or written circulars. Often the information is supplied by a citizen, who makes a complaint that some youth has been ruined. Again, a parent or teacher finds some of these obscene publications or other objectionable articles in the possession of his child or pupil, and demands that the vender be prosecuted.

It is not enough that a complaint is lodged against a party that he offers, for a consideration, to supply these illicit wares. The point we have to ascertain is whether the party complained of is actually engaged in conducting any of the schemes which it is our province to suppress. His advertisement says that he is, and we take him at his word; and having ascertained that a party is thus regularly engaged, we seek to obtain legal evidence of the fact. This is done by purchasing the articles which the party advertises to sell (if he does advertise), and in the manner proposed by himself. To illustrate. When we began operations, hundreds of individuals were advertising "Rich, Rare, and Racy Books," and often the titles of these books were given, always in the printed circulars. The advertisement, or the circular, would direct the intending buyer to send the price named, or to call at such a place. This was an invitation to the public to come and buy, and we, or our agents, as a part of the public so invited, did buy these wares, thus procuring for the ministers of the law conclusive evidence that the statutes were being violated. We have not asked the dealer in illicit articles to procure for us a thing that he had not in stock, or that he did not offer for sale, but we have accepted his invitation to come and buy of him the things which we find that he has, the very possession of which is a violation of law. One point I beg the reader specially to note: We do not offer any person any inducement, beyond exact compliance with his own terms, to violate the law; neither do we ask any one to get what he has not, or what he does not deal in; nor do we approach any person unless we have probable cause to believe that he is violating the laws.

A short time ago there was in Broadway a lottery office, which was conducted in the full light of publicity; it has since been suppressed by the society. The managers of this lottery advertised extensively, and, as an inducement to the public to come and buy their tickets at two dollars each, offered prizes of many thousand dollars. A line of ticket-buyers might be seen

any day waiting their turn, often attended by uniformed policemen to maintain order. To procure evidence against this concern, one of our men must take his place in line, and do as every one else did, viz.: state the number of tickets he desired, and, when they were handed to him, pay for the same. These instances fairly illustrate our methods for the enforcement of State laws.

Now for the United States laws, and the course of procedure we follow in securing their enforcement. What have we to say of the mode of securing evidence here? How about "decoys," "inducing men to commit crimes," and "tampering with the mails," of which we hear so much?

The offenses which we seek to suppress are brought to our notice either by advertisements in the newspapers, or by written or printed circulars containing the titles and prices of obscene books or other illicit articles, or by getting hold of objectionable material, sent perhaps to some child through the mail. There is no such thing as "tampering with the mails" practiced by this society or its agents, nor has there ever been. Ex-Postmaster-General James, in his address at our last annual meeting, effectively disproved that accusation.

We follow Greenleaf "On Evidence," and Russell "On Crime," in preparing evidence against these criminals. Of course each case stands by itself: there are always peculiar circumstances, which require a more or less different procedure in each. But the general practice of the society is to order the illicit publications and other articles by letter, precisely as the party advertising directs, and then to observe the rules laid down by the jurists just named, in the matter of preserving copies, mailing, etc., so as to make the correspondence strictly legal evidence.

All matter sent sealed through the mails is inviolable. The dealers in illicit wares usually collect names from school and college catalogues, by purchasing old letters from other dealers, or from advertising agents, or by sending out circulars offering prizes for lists of names of young people. They then emit circulars, often in thousands, in sealed envelopes, addressed to these names, offering their prohibited wares. Suppose a girl at school receives one of these circulars; she sends it to her father, who brings it to us. Here is probable cause. Now, suppose we go and find the clerk who wrote the address on this envelope. He,

as the custom is, will say that he did not know what inclosure the envelope contained, inasmuch as it was sealed when it came into his hands; but he fully identifies the address. Most people will say, Here you have a perfect case. Yes, if we can bring that innocent girl from her school, and compel her to go into court to testify as to receiving the obscene thing by mail. Again, if we use the envelope thus brought into the case, we must set the name and address in the indictment, and couple the name of this girl with this vile thing so long as the record of the court endures. Who would consent to such an outrage?

We take the child's place, and do just what she has been asked to do, viz.: write to the fictitious address given in the circular—it is almost a universal practice with these scoundrels to cloak their identity with fictitious names—and send the price of the article advertised, giving the address to which it is to be sent. In so doing we aim to find out, first, whether the articles are illicit, and secondly, whether they are sent by the United States mail. We do not write, "Send by mail"; neither do we ask for anything the party does not offer for sale: we simply write to the fictitious address given in the circulars for just what is advertised in the circulars, and in the precise form there prescribed. We thus secure legal evidence, check the stream of corruption that is flooding the land, and at the same time save the child from disgrace.

To apply these tests, under our oaths of office, is not "decoying," but is "testing" to see if the laws are indeed violated, and, if so, securing, at the same time, the means to check the evil.

The necessity for the existence of this and like societies is found in the hundreds of gambling hells, the defilement of evil reading, and the thousands of influences which threaten the morals of the young. Public sentiment must be aroused against the publication, in the newspapers, of the sickening details of hideous crimes; against the contagion, worse than yellow fever, coming from the weekly illustrated "criminal papers"; against the low and debasing theaters; against the indecencies of the concert dives; against the crime-breeding pestilence of the "half-dime" novel and boys' story-paper; against the blasphemies of infidel publications; against all schemes for corrupting the rising generation, ere the community can call on this society to disband.

What has the society achieved? The plates for printing and illustrating one hundred and sixty-three out of the one hundred and sixty-five obscene books published ten years ago, have been seized and destroyed. The other two works were destroyed by the owner, through fear, as we have ample evidence to believe. More than twenty-five tons of contraband matter have also been seized and destroyed. Every photograph gallery and other establishment where obscene pictures or indecent articles were manufactured has been closed and their stock confiscated. Upward of six hundred and fifty persons have been arrested. Nine lotteries, claiming an aggregate income of ten million dollars per year, have been forced to close their offices in New York City. More than one hundred policy and gambling places have been raided, and their properties seized. Scores of men and boys, who formerly thronged the streets selling obscene and indecent matter, have been driven out of business, while shop-windows have been cleared of many of their objectionable features. Several of the more indecent papers have been suppressed, while nearly all publications have been purged of indecent advertisements. Over sixty abortionists have been arrested, and all but a few convicted and sentenced. We have secured for the public treasury $63,931 in fines, while bail bonds to the amount of $50,900 have been forfeited, up to January 1, 1882. Since January 1st of the present year we have made eighty-seven arrests. All this, and more, has been done, at an expense of only about $7,000 per year, all raised by voluntary contributions. There yet remains much to be done. This society has earned for itself a name, and has made an honorable record. It has shown what can be done, by patient, persistent effort, toward saving the young from contamination. Can philanthropists withhold aid and sympathy from so worthy a cause?

ANTHONY COMSTOCK.

MR. FROTHINGHAM.

MR. COMSTOCK'S statement is clear, terse, and authoritative. He is a man of purpose, convinced and resolute; backed by a powerful organization as well as by a decided moral sentiment, which is prudent, sagacious, and careful to keep well within the limits of existing law. His supporters are men of character;

his aims are high; his ends are worthy the objects he has in view, and in the main commend themselves to judicious minds. It must be remembered that many who disapprove of the specific methods adopted by the Society for the Suppression of Vice, and who find fault with the philosophy which lies at the foundation of all partisan moral action, heartily rejoice at the discomfiture of immoral practices. They are glad to know that obscene books cannot be published; that indecent publications are driven from the market; that establishments where foul pictures are manufactured are closed; that lottery-shops, gambling-saloons, dens, and shows are shut up; that vile papers are put out of circulation; that the horde of panders to human lust is diminished; that the community is purged of offenses against purity. Every indication of increasing virtue in society is hailed by them with a heartiness of satisfaction which frequently disarms a prying inquest into the means by which results so laudable have been reached. They criticise with reluctance; never, unless compelled by a sense of duty to fine moral considerations.

Such persons as we have in mind are more than ready to pay prompt and cordial tribute to the qualities enlisted in the agitator's cause; to his fortitude, courage, persistency, patience, zeal. Such traits, always interesting, deserve to be called admirable when employed on the side of public virtue, as in this case they are.

Nor are thinking men disposed to quarrel with incidental means used by the earnest champion for the accomplishment of his purpose, though to a very scrupulous conscience they might be objectionable. An old proverb says that everything is fair in war, "*Inter arma silent leges.*" General Wolseley, as a private gentleman, would not, we presume, harm a fellow creature, but as a soldier he makes dispositions that involve the lives of thousands. To lurk, deceive, spy; to conceal, disguise, misinterpret motives; to present a false front; to feign and maneuver; to assail an adversary's weakest points; to flank positions that cannot be attacked; to evade strong arguments of the other side, and magnify feeble ones on his own; to place an enemy in an injurious light, is part of the controversialist's trade. The polemic is rarely just. The reformer is usually a fanatic. He has a foe whom he is trying not to understand, but to defeat; not to convert to friendship, but to kill. He is a hater, a fighter who must be judged by the rules of his profession, not by the standards of private conduct.

It is, moreover, a satisfaction to be assured that the "special agent" of the Society for the Suppression of Vice respects the mails, which belong not to any class of citizens, however wise and good, but to the whole people. "All matter sent sealed through the mails is inviolable." Such is Mr. Comstock's declaration. In accordance with it, his energies are, of necessity, limited to intercepting objectionable publications destined to the mails, and to arresting such publications when issuing from local post-offices. He can guard the entrance and the exit—no more. His war is against publishers, near or distant; to see that no forbidden matter gets in or gets out. This is technically legitimate, as all must admit who give thought to the subject.

Now, having said so much by way of commendation, we may be pardoned a few words of criticism, addressed not solely to Mr. Comstock and his friends, but to all who occupy the sentimental ground of aggressive moral reform.

In the first place the position assumed by these champions is that of belligerency. The rules they adopt are rules of war. Of course their tactics are those of war: exceptional, therefore, and provisional. They are combatants, not arbitrators, not regenerators, not scientific elevators or improvers. Their efforts, consequently, are partial, to say nothing of their roughness and violence. A certain measure of inhumanity, of indiscriminateness, of wrath, enters into their operations. They confound actions with motives. They cannot take time to investigate causes. Their business is to strike hard blows, without much solicitude, or care as to whether the sufferers be guilty or innocent. It is the hope of good men that war may give way at last to arbitration, and, ultimately, to peace. The war policy belongs to neither the Christian nor the scientific dispensation. It is essentially uncivil. No victories justify its procedure. The moral campaign is liable, on this ground, to the same kind of animadversion as the physical. It is barbarous and it is temporary, however glorious it may be through the heroism it calls forth or the devotion it inspires. No doubt there are evils to be removed, wrongs to be righted, stains to be obliterated. The question relates to the method of doing the work. Apollo slays the python, but with unpoisoned arrows of light. The scientific system abolishes inhumanity, but it succeeds by preserving and using the rule of reason. It studies while it opposes. Thought goes in advance of feeling. It jumps at no conclusion, but pro-

ceeds by way of knowledge. However impetuous its hope, however ardent its aspiration, it will explain before it attacks; and when it attacks it makes victory certain, because the very ground of the enemy's resistance is taken from him. He is outwitted and compelled to lay down his arms. The result is that of war, but the agencies are those of peace. Its method is persuasive.

In the next place, the operations of the Society for the Suppression of Vice are uniformly sectarian in their character. They represent the convictions of a peculiar party, a class, an order of men,—men of high character and noble purpose, it is conceded, but still individuals. Now, it has been questioned whether any individuals, however pure or just of intention, are entitled to impose their moral sentiments upon their fellow-creatures, however infirm or debased, in advance of their social development. The rulers may be in goodness far before the ruled, and it would be wise for the latter to love the law which is set over them; but they must arrive at conviction through successive stages of opinion, otherwise obedience is irrational and oppressive. Who is so virtuous as to be allowed to forbid the distribution of cakes and ale? Mr. Comstock makes frequent use of the words "obscene," "indecent," and so forth. Are we prepared to accept his definition of such words or the definition of his society? May they be trusted to declare what is "objectionable" and what not? Is their moral standard to be received without protest? Are we quite ready for their notions of blasphemy or infidelity? Shall we submit our newspapers to their inspection? Is the community ripe for their ideas of art? Will it allow them to remove "objectionable features" from shop windows? There have already been some odd—some people call them ludicrous—performances in that line. What if these gentlemen should resolve to put a stop to theatrical entertainments, to operas, concerts, balls, dances, on the plea that the libretto is unclean, the music lascivious, the motion unchaste. Such results are within the limits of possibility. "The thousands of influences which threaten the morals of the young," is a phrase of ominous import. "All schemes for corrupting the rising generation" is a tolerably comprehensive expression which may carry tyranny in its body, may mean mischief, in other words.

Mr. Comstock speaks of procuring "the enactment of good laws, and then vigorously and zealously" enforcing them; of securing "stringent laws." What kind of laws are hinted at in

these words? What kind of laws does he encourage us to expect? "Blue" laws? We may not be disposed to welcome them. There is a prejudice among Americans in favor of laws that give voice to the enlightened conscience of the community. Statutes which embody the moral dogmatism of a sect are not popular, and are becoming less so from year to year; while, at the same time, the virtue of the general public is on the increase.

This consideration suggests another point,—namely, the amount of opposition excited by moral action which is greatly in excess of the established persuasions of good men. Already Mr. Comstock's proceedings have aroused ill will in the bosoms of such men, though he has, thus far, arraigned few save flagrant offenders. How fierce will be the conflict when his operations are extended! The old saying, that the blood of the martyrs is the seed of the church, has an ignoble side. Shall we make martyrs of the vicious, the depraved, the sensual? Shall we awaken the hostility of those who wish us well? Shall we make enemies of those who are at heart our friends? There is danger lest we offend our real allies; surely it would be a mistake to do that. And that will inevitably happen if the policy of suppression is pushed to extremes. Persecution has often lent power to its victims, and will continue to do so as long as its victims have reserves of power or pretext of injustice. Many famous books and pictures would have died if they had been let alone by hostile critics. The method of attack must, therefore, be employed cautiously, and with much wise discrimination, lest evils should be augmented rather than diminished, and bruises inflicted on sensitive parts of the social frame which should be kept sound.

The conclusion is, that the institution of societies for the maintenance of special virtues is tentative and preliminary,—serviceable but temporary, and fraught with peril to moral interests. The ancient fable of the traveler, the wind, and the sun receives here a new illustration. The vehement agitator compels the pedestrian to wrap his cloak about him till it will protect him against the blast no longer, being torn to shreds. The sun induces him to lay the superfluous covering aside. In the bleak winter, gangs of men are hired to clear the streets of snow and ice. But the rising temperature of the early summer dispenses with clumsy appliances and causes the obstruction to

disappear. Heat is better than force. Heat *is* force in a persuasive form. To raise the level of public opinion by the influence of teaching, knowledge, character, is the desirable consummation, one not easy of attainment, but nevertheless attainable, as we know from experience. Miss Octavia Hill, whose labors among the tenement population of London are so widely known, declares that the influence of public opinion is felt in the corners of that metropolis of the world, and she believes it to be indispensable in the work of social regeneration. The abolitionists of Massachusetts showed wisdom in abstaining from political combinations, and consecrating themselves to the work of educating the general conscience, being satisfied that laws and institutions must at last reflect the moral feeling of the community. The result justified their measures. The sources of corruption will be dried up as fast as common enlightenment proceeds, no faster. There will, of course, be discontent, protest, clamor, perhaps violence, but these will be short-lived and ineffectual. The summer sun draws vapor from the marshes; the clouds collect; lightning flashes; thunder rolls; rain falls in torrents; the face of nature is covered with darkness; cattle seek the shelter of trees and sheds; the farmer runs to covert. Presently the clouds disperse; the darkness vanishes; the rainbow spans the heavens; diamonds sparkle in the grass; the air is fresh; the kine low in the pasture; the husbandman's heart rejoices that the storm came and went as it did. The lesson is too obvious to be pressed. Usually evils disappear noiselessly, being distanced and outgrown. The silent pressure of the public conscience renders resistance unavailing. The progress of society is so still, that they only who make note of it are aware how swift and sure it is. Immense changes have taken place in a hundred years, yet scarcely a convulsion has been felt. The very existence of the Society for the Suppression of Vice attests the moral advance which its future discontinuance will confirm.

We cannot, therefore, agree with Mr. Comstock, that public opinion, in proportion to its enlightenment, will demand the perpetuation of his association or the final prosecution of his work. Should the time ever come when the community shall call for the decease of iniquity in the shapes specified by him, it will call on his society to disband, for there will be no further use for its policy of repression. Offenses will no longer abound.

In the meantime philanthropists will jealously watch the proceedings of an association whose methods are liable to abuse, and fraught with danger to high and delicate interests.

Let us not be misunderstood. The task of enlightening the public conscience is a very grave one, of vast importance, and beset with difficulties. It is the duty of preachers, lecturers, teachers of every description, to employ their whole strength in this noble work of diffusing light. But as illumination spreads, vice will flee away. As "morning drinks the morning star," as day banishes night, as summer remands the sledge to the outhouse, so will goodness render badness impossible. We are no disciples of the "let alone" philosophy. We are not satisfied to drift with the general current of the world's advance. We believe in moral endeavor. Ours is a rational universe, in which moral powers should be supreme. That they may be supreme, men with live consciences must be active. But no activity is fruitful of lasting benefit or harmless, even, which is not furthered by the laws of reason; and these laws demand freedom of intellectual movement, an earnestness born not of limitation but of liberty, which regenerates by stimulating the elements of good, and letting the limitations of evil drop silently away. To diminish the demand is to cut off the supply.

O. B. FROTHINGHAM.

REV. DR. BUCKLEY.

INVITED by the NORTH AMERICAN REVIEW to enter a symposium for the discussion of prevalent forms of vice and methods for their suppression, the writer, who has closely watched the operations of the New York Society for the Suppression of Vice, and of societies in other parts of the country which have been modeled after the one in that city, avows the conviction that the problem has been to a great extent solved, with respect, at least, to two of its most baleful forms, namely: Obscene literature, and lottery and policy gambling.

First. The need of earnest and efficient work demands emphasis. The effect of licentious publications upon the imagination of youth is "evil and only evil, and that continually." The passions are normally and gradually developed in man as in the lower animals; but the brutes are under no restraint. Instinct,

impulse, and opportunity determine their actions. Yet, as passion strengthens, it stimulates the imagination. Marriage, only, affords legitimate gratification. Lust, indulged in thought or deed apart from love, is moral impurity; sexual love with lust, apart from wedlock, is the spirit of adultery. This is the strain placed by God, human nature, and law, upon man. Divorce, polygamy, communism, illegitimacy, abortion, and the reactions and aberrations of the sexual instinct in vices that are "not so much as to be named," are but superficial indications of its power. The purity of youth is to be maintained only by repressing, under moral principle, the uprisings of passion and the play of a prurient fancy. But a filthy book or picture, by premature representations and morbid exaggerations, in which lust is a tyrant smothering love the rightful sovereign, poisons all the springs of fancy, and turns the fountains of feeling into stagnant pools, breeding disease, and agitated only by monsters of their own generation. From the corrupting influence of but one such book or picture it is doubtful if many ever wholly recover; the hideous and polluting remembrance is a "damned spot that will not out."

When in the habit of conducting religious services in an asylum for the insane, the writer questioned many of the victims of their own vices who were convalescent, or who had lucid intervals, and found that most of them were led into their vile practices, or stimulated themselves therein, by lascivious publications. Pollution of the mind is self-perpetuating: "having eyes full of adultery, they cannot cease from sin."

The victims of these habits and the readers of these books are reserved. Until shame is destroyed, the last persons to whom they would voluntarily reveal their thoughts, or show obscene books or engravings, are parents, teachers, or chaste friends. Even theft is not more secretive.

The Hon. Algernon S. Sullivan, of New York, when standing in Association Hall, corner Twenty-third Street and Fourth Avenue, before a large audience, said, concerning the amount of obscene matter confiscated by the society: "We found storerooms literally filled with this terrible stuff, and the piles looked like stacks of hay. I saw, when it was being prepared for the flames, that it would cover more than this platform and the height of my stature."

The charm of gambling consists in the hope of gaining large sums in a short time, without work, and in the element of chance

which fascinates most minds. The amount of lottery and policy gambling in the city of New York alone is incalculable. In September, 1880, nine lotteries were doing business here, advertising in many newspapers; and no less than six hundred policy-shops. The books of the Louisiana Lottery Co., which were seized by the society preparatory to its being closed up, show that between November 16th and December 9th, 1881, there were thirty-five thousand purchasers of tickets, exhibiting an average of one thousand seven hundred and fifty letters and five thousand one hundred and seventy-six dollars per day, during the twenty business days of that month.

Second. The methods, which have been thoroughly tested, are intended to promote, by publications and public meetings, a general sentiment of hatred to these vile forms of traffic, anxiety for youth,—who are the favorite, and generally the easy prey of these monsters, whose only type in nature is the octopus,—and the determination that laws for their suppression shall be maintained upon the statute books and thoroughly enforced. The society supports an agent, whose duty is to collect such evidence against the guilty as shall secure their punishment. Not only are these methods right and properly guarded, but they are the only methods by which success could be reached. The willing patrons of the venders of obscene matter and of the managers of lotteries and policy-shops would never furnish evidence for their conviction; and those whom they try to corrupt would not do so if their names were to be publicly connected with their knowledge and reception of lewd books or pictures. They are the methods which are used without objection from any quarter in the ordinary processes of law. The Hon. John McKeon, the the Public Prosecutor of New York,—who is crowning his hoary hairs with glory by the efforts which he makes to fulfill the pledge given before entering upon the duties of his office, in these words: "There is but one pledge can be given by me, and that is, that, so far as lies in my power, the laws of the State shall be executed without fear, favor, or affection,"—has employed the same methods in breaking up policy-shops, and his agents have gone, as I think, justly, beyond the restrictions which Mr. Comstock has set for himself. They are analogous to the stratagems used by both the State and federal authorities, and by every government which ever existed. Without them, the community would be handed over to murderers, counterfeiters, mail-rob-

bers, thieving contractors, gamblers, keepers of brothels, abortionists, and publishers of obscenity.

Third. The society has been the subject of well-meant criticism by those who could not but sympathize with its general objects. It has been called a sect. In one sense, everything which includes less than the universe is a sect; but, if it be intended to convey the idea that this organization is a kind of religious sect, nothing is more foreign to the truth. It includes men of every sect in religion and of none, and membership in it is as open to a respectable Agnostic as to the most devout Christian, to Protestant or Catholic, Infidel or Jew. The society can secure the passage of no law, however wise and just, without convincing the minds of law-makers. Unlike those whose iniquitous traffic it aims to destroy, it has no vast revenues whereby "with a gift to pervert judgment." And when a law is passed, if but one of a jury of twelve shall disagree, the accused cannot be convicted. If prosecutions have in any instance advertised a book which otherwise would have done little harm, for every such case the society has annihilated a hundred venomous and extensively circulated books and pictures. As the suspicion and opposition of good men may be aroused by anything which savors of persecution, there is reason for caution, but none for inaction.

The question has been raised, whether it is not offering an inducement to a person to commit crime to send him an order with money and a fictitious address, with the design to entrap him — whether those who do so are not "partakers of other men's sins." Those who note the limitations under which the society voluntarily places itself, must see that no such charge can be sustained. In the judgment of many moralists and jurists, stratagems much more complicated might properly be employed to detect these and other secret criminals. The positive statement of the society is:

> "We do not offer any person any inducement, beyond exact compliance with his own terms, to violate the law; neither do we ask any one to get what he has not, or what he does not deal in; nor do we approach any person unless we have probable cause to believe that he is violating the laws."

It is not to be supposed, if the instructions were "Direct to Anthony Comstock, Special Agent of the Society for the Suppression of Vice," that any progress could be made. He has the

right to have communications directed to any address which he controls. It is morally and legally wrong for the vender of illicit publications to sell them for any purpose, but it would be right for any one to purchase them, when advertised and offered, in order to obtain legal proof of their possession, manufacture, or sale, for unlawful purposes.

The enforcement of the laws cannot safely be left to public sentiment. The subject of licentious publications cannot be thoroughly treated in promiscuous assemblies; it is not suited to pulpit discussion, except in vague and general terms. The victims of theft or arson promptly complain to the authorities and vigorously co-operate with them; the perpetrators are without sympathy, and generally without means. In these cases equal efforts are made by the criminal and his victims for concealment. Twelve years ago it was not possible to pass along the water-line of the East and North rivers without being accosted by the venders of this vile literature. In London it is hawked about the streets, and within one minute's walk of the official residence of the Lord Mayor the peddlers of indecent picture-books flaunt their wares in the faces of those who ride along the thoroughfare.

A special defect of a republican form of government, pointed out by De Tocqueville and emphasized by many subsequent writers, is its weakness in the enforcement of law in advance of public interest. Private interests which are imperiled or injured by criminal acts find it necessary to stir officials to the performance of their duty. This defect may be traced in rural districts, but is especially disastrous in cities. The sale of obscene literature, and lottery and policy gambling, belong to a class of crimes in which the general public, left to itself, will take little interest. If this society were dissolved, there is every reason to believe that in a very short time, the traffic in these debauching agencies would be as open, and as large, as before it was founded.

These evils differ from most others. For example: Slavery was a legal institution within certain limits, and elsewhere had no existence. If slavery had been both illegal and secret, it would have been necessary for the anti-slavery societies, first, to arouse the people by the uncovering of the facts; then to secure adequate legislation; and finally, to detect slave-holders and bring them to trial. The foes with which this society contends are illegal and secret, and it must use the methods above described.

Organized and profitable crime has never yet disappeared except in storm and tempest.

Fourth. From its birth until now, this society and its secretary —who must say *magna pars fui*—have encountered the most bitter hostility. The "free lovers," the writers and compilers of such books as require experts in "broad" literature to decide whether the laws against obscenity have been violated, the quack doctors whose specialties are closely allied to licentious literature, the gamblers and their supporters in official position and in the press, have made common cause, perceiving that "their craft" is in danger. A charge often repeated is that the mails are tampered with. The Hon. Thomas L. James, ex-Postmaster-General of the United States, said in a public address in this city, on February 6th last:

> MR. PRESIDENT AND GENTLEMEN,—I am informed that there is a widespread belief that Mr. Comstock opens letters in transit in the post-office. The idea is simply absurd. No letter is tampered with in the post-office, and it is due to Mr. Comstock to say that he never attempted to tamper with a letter. There is nothing that the American people are more sensitive about than the sanctity of their correspondence, and they would hurl the postmaster from power, as they did one in England, if he allowed tampering with the mail. I say it broadly and emphatically, that Mr. Comstock never attempted to open, or opened a letter.

Other charges were that the secretary has pursued innocent and unsuspecting persons, woven a net around them, entrapped and ruined them; that the spirit of the society is vindictive, and that it has interfered with legitimate medical practice. If securing the conviction of nearly sixty abortionists, and the punishment of venders of instruments and nostrums, whose sole purpose is the promotion or concealment of licentiousness, be "interfering with legitimate medical practice," no denial can be made; but if it be procuring the enforcement of just law, the accusation is the highest commendation. Gentlemen of the highest character and legal attainments have followed these charges closely, and have especially examined the personal allegations made against Mr. Comstock; they indorse him thoroughly, and his testimony never weighed more in the courts of New York than it does to-day.

In fine, I write under the conviction that the most efficient modes of restricting these forms of vice have been ascertained; that the affairs of the society which adopts them have been

managed with prudence; that its errors have been few and unimportant; that its work, in comparison with the means at its command, has not been surpassed in amount and value by any reformatory movement of modern times.

Its secretary, starting out from his clerkship in 1872 to save his comrades, fighting his way step by step against fearful odds, appearing single-handed in the courts, going almost alone to Washington to meet an army of opponents,—a horde of traducers, and secret letters sent by persons high in authority, but deceived by criminals, if not in league with them,—or as he appears with his face scarred and seamed by the knife of the would-be assassin, I conceive presents one of the most impressive and noble figures which have appeared in a time prolific of strong personalities.

J. M. BUCKLEY.

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Tros Tyriusque mihi nullo discrimine agetur.

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DECEMBER, 1882.

THE HEALTH OF AMERICAN WOMEN.

DR. LEWIS.

THERE is a popular notion that the ill-health of our women is natural—that they are the victims of functions whose exercise constitutes a sort of invalidism. "The weaker vessel" is a favorite phrase.

As a prerequisite to an effective argument on the injuries produced by woman's dress, we must determine her normal condition. We may prove that she compresses her waist fifteen inches, but the popular ignorance of the organs within the waist will make no telling inferences. The first and indispensable step is to show that woman in her normal state is a healthy, vital being. Then we shall be prepared to measure the influence of her dress and other agencies.

Among the animals about us the female is as hardy as the male. Among our immigrants of the rougher sort the women are quite as tough as the men, and work hard more days in the month. For thirty years, in meeting missionaries and travelers who have visited the peoples of Asia and Africa, the American Indians, and other nations and tribes not well known to us, the writer has persistently asked about the health of the women. In no case has he been told that women are in worse health than men, while in more than one instance it has been stated

that the health of women is better, because of various evil habits among men.

That man of truth and fine manners, William Crafts, the fugitive slave, bade farewell to the land of the free forty years ago, and, settling in England, won the confidence of many English merchants, in whose interest he resided twelve years in Dahomey, Africa, in the management of the palm-oil trade. On returning to America he gave us some interesting facts about the women of Dahomey. They are quite as large and strong as the men, and manage the business affairs of the country. Before leaving Dahomey the last time, in a conversation with one of the king's body-guard, a stalwart Amazon, he asked what she thought of men as soldiers.

"Men can't fight," she cried. "We three thousand women of the king's body-guard would like to meet six thousand men: we'd show them how to fight."

"But," expostulated Mr. Crafts, "you should not speak of men in such a hateful spirit."

"How can a decent woman speak of the contemptible wretches in any other way?" was her spirited reply.

About the size of the Dahomey women, Mr. Crafts was asked again and again. He assured us that he had carefully observed, and was confident they were quite as large as the men.

In a long foot-journey through Ireland the writer saw thousands of barefooted young women, nearly as large and strong as the young men; and in different parts of Europe, in the rural districts, was struck with the vital proportions of the women. Those who have seen Indians on their marches through our Western wilds, declare that the women are second only to the ponies in the size of their loads and the distance they carry them.

The reader who concludes that woman may, by nature, be man's equal in health and vitality, will doubt the possibility of her recovery from the injuries of dress and house-life. The writer has recently spent three summers camping in the mountains of California. From time to time ladies joined our party. Quite a number of these were delicate invalids seeking health. They all adopted the rough, short, mountain dress, and rode astride. Several of them became the most adventurous and enduring members of our large company. As an illustration, Miss M., from New York, a wealthy and highly accomplished

lady of twenty-six years, may be mentioned. We gladly welcomed her, though we feared her health might detain the party. Her first week amused us. She was certain that, with the removal of her corset, she would "fall to pieces," and she could never, never ride astride, because it was "so awful," and she was sure the peculiar position would make her troubles worse. On leaving us she said: "I have spent five months in the saddle. When I came I was in wretched health. Now I am as free from pains and weaknesses as these squaws." Such miracles were common in our camp-life.

The Boston Normal School for Physical Education trained and graduated 421 teachers of the new School of Gymnastics. The graduates were about equally divided between the sexes. A considerable proportion of the women were school-teachers in broken health, seeking in the new profession a better means of living. The average health of the women was, in the beginning, lower than that of the men. But, with the removal of the corset and the long, heavy skirts, and the use of those exercises which a short and very loose dress renders easy, a remarkable change ensued. In every one of the ten classes of graduates, the best gymnast was a woman. In each class there were from two to six women superior to all the men. In exhibiting the graduating classes from year to year on the platform of Tremont Temple, women were uniformly placed in the more conspicuous situations, not because they were women, but because they were the finer performers. Dr. Walter Channing, who was one of the professors in this normal school, often spoke with great enthusiasm of the superiority of the women.

A convincing experiment was made upon a large number of girls at Lexington, Mass. A school for young ladies was announced and large buildings prepared. During four years of personal management by the founder of the school, nearly three hundred young women were subjected to a new and peculiar regimen, to determine the possibility of improving their bodies during their school-life, as the bodies of young men are improved in some of the German universities. An exceptionally full curriculum of studies was adopted, and a large corps of teachers, including such distinguished names as Theodore D. Weld, Catharine Beecher, and Zerdahelyi, labored with enthusiasm in the brain-work. The pupils were pressed harder, probably, than in any other school in New England. The girls averaged about seven-

teen years of age, and came from all parts of the country, including California, Central America, and the West Indies. They were largely from wealthy families—delicate girls, unable to bear the artificial life of fashionable seminaries, and were drawn to the Lexington school by its fame for body-training. The constant dress of the pupils, like that of the Normal School, was short and loose, leaving the girls as much liberty as boys have in their gymnasium dresses. The results of the physical training at Lexington are well known.

On entering the school, pupils were measured about the chest, under the arms, about the waist, the arm, and the fore-arm. The average gain for eight months about the chest was 2½ inches; waist, 5 inches; arm, 1½ inches; fore-arm, about 1 inch. The work was so hard that, with all this remarkable development, the weight of the pupil was often lessened. Of course, the girls came with injunctions from mothers not to climb stairs, and with letters from family physicians urging moderation in gymnastics, and prescribing the horizontal position a number of days each month. With the corsets and long skirts in which they came, these injunctions and cautions were not unwise; but, with the change of dress, became absurd.

And now, with a full knowledge of all the facts familiar to hundreds of grateful parents, the writer affirms that, giving little or no attention to periodicity, the girls worked through the entire month in those extreme stridings and other vigorous exercises of the legs and hips, contrived to counteract the evil effects of the long, imprisoning skirts, and that in the four years not only was no harm done by this constant and dreadful violation of Dr. Edward Clarke's counsels, but that in no instance did a pupil fail to improve in health. The results may be described as follows: pupils came with dread of stairs, with backache, palpitation, and other sufferings which may not be named here, and in a few months could do the full and hard gymnastic work of the school, dance three evenings a week, go upstairs without symptoms, and walk five to ten miles on Saturday without inconvenience. A common exclamation among the pupils was this: "What a slave I was! Everything was toil and suffering. I have now just begun to live!" And all this happy change came of abandonment of corsets, the adoption of a simple, physiological dress, with the exercise which this change in dress renders easy. The change in health and capacity often seemed magical. If this

paper were designed for the eyes of medical men only, certain facts might be given which would surprise them, and leave no doubt that we have utterly failed to comprehend the mischief done to the growing form by the present modes of dress.

The reader may think that camp-life in the mountains of California, a course of training in the Normal School for Physical Education, or four years' drill in the school at Lexington, will account for happy changes without any change in dress. We saw many ladies in the mountains seeking health in long skirts and corsets, and their health improved, but the physiologist will assure us that the improvement could not be muscular and radical. As to exercise in the gymnasium, the observation of thirty years in ladies' seminaries leads to the conviction that girls in corsets seriously endanger their welfare when they try to exercise beyond gentle walking and dancing. All attempts at free arm or leg work must prove mischievous. For many years we have cautioned corseted women against the gymnasium, and have seriously urged easy-chairs and lounges. The advice given by Dr. Edward Clarke, and repeated by thousands of doctors to their lady patients, to lie down as much as possible, and periodically spend a week in bed, is, if a corset be worn, not only wise and merciful, but indispensable. To ladies who declare that they cannot abandon their corsets, the writer uniformly gives the same advice.

The errors in woman's dress are:

1st. The corset, which reduces the waist from three to fifteen inches, and pushes the organs within, downward.

2d. Unequal distribution. While her chest and hips are often overloaded, her arms and legs are so thinly clad that their imperfect circulation compels congestion of the trunk and head.

3d. Long, heavy skirts, which drag upon the body, and impede the movements of the legs.

4th. Tight shoes, which arrest circulation, and make walking difficult. High heels, which increase the difficulties in walking, and so change the centre of gravity in the body as to produce dislocations in the pelvic viscera.

Lack of space forbids details under each of these heads, so we speak mostly of the corset, by far the greatest evil.

Do women practice tight-lacing? Since beginning this paper, we have asked this question of more than a score of ladies. The answer is "No." One lady, whose waist has been

reduced more than eight inches, declares that she has heard about this lacing all her life, but has never seen it. She adds: "I wear a corset, though, from my immense size (nineteen inches), you would hardly think it. And I fancy that ladies generally manage about as I do; they wear a corset to keep their clothes in shape, but it hardly touches them." In forty years' professional experience with the wearers of corsets, we cannot now recall a single confession, even from those who had reduced their waists from ten to fifteen inches. One can write freely on this subject, with no fear of hurting the feelings of lacing women, for no one of them will imagine herself guilty; and one can speak as disparagingly as he pleases of diminutive figures, for the smallest woman regards herself as "perfectly immense."

We have talked with several corset-makers, and sum up their testimony as follows: Fashionable ladies, and thousands who imitate them, purchase corsets which are from three to ten inches smaller than their waists, and then lace them so as to reduce their waists from two to eight inches. More than one corset-maker has placed the averages higher than these figures.

Many inquiries have been made of those artists who make a special study of the female figure. Their testimony is stronger than that of the corset-makers. One artist, who is a recognized authority in this department, has assured us that in painting portraits of women, no good artist will paint the laced figure. The subject must hide with drapery what the artist regards as a hideous deformity. An eminent artist, with a good eye and thorough knowledge of proportion in the female figure, permitted the writer to sit by his side on a thoroughfare when ladies were out in force, and expressed his opinion about their waists.

"That one is reduced six inches; that one ten inches; that young lady five; that one twelve; that large woman has reduced her waist fully fifteen inches." "What proportion of these ladies would you paint in their corsets?" he was asked. "I have not seen one that I would paint without asking her to cover her deformity."

If any one will devote an hour to a study of the female figure as seen in classic art, and will then give another hour to street observations during the fashionable promenade, with an aching heart he will go over to the ranks of the discouraged. He cannot forget that these are to be the mothers of our next generation.

Many physicians engaged in general practice have been asked what proportion of their practice comes of displacement of the pelvic viscera. Their average testimony is that more than half of their professional business comes of this one malady.

A letter just received from the most able specialist in the treatment of diseases of women known to the writer (a professor in a prominent medical college) contains the following language: "I am sure, without being able to demonstrate it, that ninety per cent. of the so-called female weaknesses have their origin in corsets and heavy skirts. They not only depress the pelvic organs by their pressure and weight, but weaken all of their normal efforts." A number of experienced practitioners in this department of medicine, hearing of the preparation of this paper, have written letters expressing the same decided opinion.

But may not a corset be worn so loose as to do no harm? If by a corset, a machine with steel, whalebones, or other stiffenings be meant, the answer is "No!" The corset is hard and stiff, while that portion of the body which it surrounds is particularly soft and flexible. If the wearer could always stand erect, with the corset so loose as not to touch her, no harm would be done. But she must sometimes sit, when the parts under the corset are greatly enlarged. Bending forward, as in sewing or reading, she leans against the upper ends of the whalebones, and then the pressure against the upper ends is returned against the abdomen at the lower end. If the wearer will put her hand under the lower end of her corset while she leans forward against the upper end, she will be surprised at the pressure. This pressure upon the abdomen, during all the long hours of sitting, does serious mischief. In one word, it may be added that, with every bending of the body, even the very loose corset is brought in contact with yielding parts. The floating ribs, that masterpiece of the human mechanism, and those soft parts of the person covered by the corset, cannot perform the undulating and vital movements incident to respiration and digestion, even under a very loose corset. Then what must we say of a corset which is not loose?

The corset does more than squeeze the waist. After forcing a considerable part of what belongs within the waist downward into a lower part of the abdomen, to prevent an unseemly protuberance the corset is so contrived as to spread over all that lower part, force it down, and, with a firm layer of steel or

whalebone, hold it there. This presses the abdominal viscera down upon the organs in the pelvis. Then, to end this tragedy with a farce, people put on serious faces, and wonder why women suffer from prolapsus uteri.

A numerous and busy class of medical specialists are devoted to the treatment of malpositions of the organs in the lower part of woman's abdomen. These malpositions are, directly and indirectly, the source of a large part of her ill-health and sufferings. Is it unreasonable to say that a pressure about the middle of the body, which reduces the waist from three to fifteen inches, must push what is within the waist downward, and must inevitably produce those malpositions of the organs at the bottom? Can a sane woman imagine any other result?

A girl who has indulged in tight lacing should not marry. She may be a very devoted wife, but her husband will secretly regret his marriage. Physicians of experience know what is meant, while thousands of husbands will not only know, but deeply feel the meaning of this hint.

Recalling Mr. Crafts's testimony touching the size of the Dahomey women, one is led to say that these microscopic girls that swarm about our schools and chatter in our streets are the curiosities of what we call "high civilization." They are found only among the lacing peoples. Wherever women give free play to their lungs and stomachs, they grow as large, or nearly as large, as men.

This "high civilization" is curious. Its avowed aim is a nobler manhood and womanhood. But, while we are so proud of our telegraphs and railroads and grand inventions and magnificent improvements and large corn crops, that we run our printing-presses all night to proclaim our glory to the rising sun, our doctors, standing in the midst of a nation of men sucking tobacco, caution a nation of corseted women to go slow and lie flat on their backs three months every year.

DIO LEWIS.

MRS. STANTON.

ASIDE from our variable climate and the excitement of a young civilization affecting men and women alike, aside from improper dress, diet, and general habits of life, there are many social customs and restrictions which are detrimental to the health of American women.

Girls suffer the disadvantages, from ignorance in parents and teachers, that boys do, in addition to numberless deprivations inflicted on them alone. There are rules of conduct that hold them in a condition of neutrality, destroying, in time, all self-reliance and making them afraid alike of a thunder-storm and a mouse. When courage in woman proves useful to the public weal, we hail it with approval; but, to mould our daughters into the popular idea of what is "ladylike," we educate all bravery out of them. Sitting on a piazza one day, watching a girl and boy at play, their father remarked: "I am trying the experiment of educating my son and daughter alike, to see if it is possible to make them equally self-reliant." Turning, he saw them climbing a tree, and cried out, "My daughter, do not go any higher." "Why not?" said she, "Bob goes to the top; I have two legs as well as he," and on she went. I promptly called his attention to the effect of such remarks, and added, "Fortunately your daughter's confidence in herself is stronger than her reverence for your authority, and she takes her rights." The school-girls in our cities seldom have play-grounds or gymnasiums; their exercise consists in filing, two by two, down some fashionable street, duly instructed to neither talk nor laugh loud, and to move as if to the music of the dead march. A girl's impulses seem to be ever in conflict with custom, and if she chance to have some perception of first principles, and debates any of these primal rights, she is silenced with the reply that such are the customs of society, and she must submit or be ostracized. "*Qui de nous osera changer une loi que le temps a consacrée? Y a-t-il rien de plus respectable qu'un ancien abus? La raison est plus ancienne, reprit Zadig.*"

At an early age we present our pale girl with a needle. When we consider the position necessary to sewing, can we wonder that she grows paler? Let us base our social customs on the truth that for many years our children are mere animals. Do not saddle and bridle your colt too young, or you will ruin your horse. Then, too, our girls make their *début* in society too early, often at the age of sixteen entering upon a round of social gayeties. When we think what this young life must sustain, the delicacy of American women should cause no surprise: 1st, the girl must rally under a great physical change; 2d, she must stand well in school; 3d, she must assume some care of her own wardrobe; 4th, she must obey the behests of society. Compare this with the school-days of boys,—study and play, nothing more.

Even in the laboring classes, where some work devolves on boys, it is always of a healthful nature: chopping wood, making gardens, or running of errands. So unequal are the requisitions made on the sexes outside the school-room, that one of two conclusions is inevitable,—either boys are shamefully lazy or girls are cruelly overworked. From fourteen to twenty-five is the allotted age for study. You can swallow whole and digest a Greek verb at fifteen, but, even after the most complete mastication, it gives you a mental dyspepsia at forty. Hence the importance of concentrating into the years of impressible memory all of intellectual development that is compatible with the highest physical health. I plead for the heroic in study and play and for the freedom of youth as long as possible. It is not a stoic's life I demand; but a waltz at the dancing-school, with a boy of her own age, is far better for a girl of sixteen than the flattery of a society man, of double her years, at some fashionable *soirée*. A game of billiards gives more benefit and pleasure than the most exquisite piece of fancy work; a canter on horseback is more desirable, for pale cheeks and cloudy brains, than an anxious hour over a cook-stove. To the declaimers against ill-health our American girls would do well to say,—We will take care of the higher education if you will let the cook-stove and needle take care of themselves.

Girlhood passes into womanhood, marriage soon follows. Immediately competition for social position is felt. This phase of life is peculiar to America, for every one wants to get a round higher on the ladder. This social competition falls mainly upon women; theirs the duty to turn to best account small incomes, by dexterity to make something of nothing. It needs the head of a diplomat to get hold of any money, and the wisdom of a commissary-general to dispose of it to the best advantage. Then, with all this responsibility, our women are mere dependents. In France, married women are saved this humiliation. In the upper classes every father must give his daughter a dowry at her marriage, and in Austria there exists a society for the purpose of conferring dowries on poor marriageable girls. In the laboring classes, the women are either in business with their husbands, or carry on some separate trade of their own. Household work is the profession without recompense,—the contract made for all time. To go through weary days, doing with all thy might what thy hand findeth to do, and

at the end have nothing that you can call your own, is a sting to the spirit, a rasp to the nerves that will soon brush away the bloom from the rosiest cheek.

So far I have spoken of the life of ordinary women,—of the majority. The struggle others have made to secure education and position, and the humiliations they have endured, have been sufficiently trying to undermine the health of the strongest. No one is wholly insensible, however regardless of the customs of the world about them, however self-centered, however exalted by enthusiasm. To endure ridicule stings the spirit and reacts upon the body; to meet opposition wounds the pride and impairs the health; to suffer abuse and scandal wearies the heart and bows the head; to surmount obstacles exhausts the reserve energies of mind and body. A woman of ambition feels herself alone, and by sheer pride is pricked on to endeavors beyond her strength. If, in her struggles, her health breaks, she is called, by those who forget the hinderances they placed in her way, "a victim of higher education." Not a woman who has found an occupation outside of domestic life has escaped injustice, however small, done her simply because of her sex. The indignity may be a social slight, or it may be the closing of some medical society against a Mary Putnam-Jacobi.

But you object, and justly too, that there is a large class of women who were healthy in childhood, and have suffered from neither household drudgery nor injustice in the outside world, and yet who are confirmed invalids. This may be explained by the remark of Madame de Sévigné, that the ill-health of women is due to the fact that they are too constantly in contact with chairs.

Next to freedom of locomotion and individual independence as elements of health, comes the necessity of remunerative employment and pleasant mental occupation. Woman is now in the transition period from the old to the new, and is struggling to serve a higher purpose in life than she has heretofore known. All girls are not satisfied with the amusements society has to offer, nor all women with the position of wives, mothers, and housekeepers; and it is the want of congenial employment that makes the lives of women so vacant and their health so uncertain. The love of accumulation is as strong in women as in men. It is a great satisfaction to know that one has acquired the skill to make a livelihood; has the power to shape con-

ditions; is free to gratify tastes; to choose surroundings; to enjoy a little of that individual sacredness that comes from a personal bank account. Statistics show that girls taking a college course are more healthy than those who lead listless lives in society; that women who do business are far more vigorous than those who are mere household dependents. Can any one doubt that women have real ambition, after seeing the strength of the religious orders of sisterhoods?

The cream of Catholic France is in its convents. Most of the sisters enter between eighteen and twenty-five. The women I have seen in these convents are healthy and happy, and that in spite of a most rigorous and exacting life. Among the sisters with whom I am acquainted — having spent three months in a convent — I see women with rosy cheeks and strong muscles. They rise every morning at four o'clock and remain until six, on their knees, praying in the chapel. Their days are filled with useful work in the care and instruction of a school of poor orphans under their charge, and in attending to the demands of boarders. Yet with all their labors they are happy, because they are respected and healthy, and because they are fulfilling the mission of their choice. I know several cases of wealthy young girls going from convent to convent, in France, to find the order that responded to their tastes. These girls had ambition, and they found in this old civilization an institution that would give them the right hand of fellowship and offer them an opportunity for the attainment of honors. By the Catholic world these women are not told that they are out of their spheres; they are not dubbed "sour old maids"; and those who become acquainted with them will find they have perfect satisfaction in the lives they have chosen.

But the honor the Church accords woman in one direction it denies her in many others. The religious ideas taught in our pulpits in regard to women are depressing in their influence on her, and give man authority for all kinds of tyranny and injustice. At the great Pan-Presbyterian Council in Philadelphia, two years ago, some one suggested that the position of woman in the Church should be considered, that some new dignity and honor might be accorded her. The proposition was received with derision and treated with as much contempt as if it had been proposed to make elders and deacons of monkeys. Women were recently refused admission to the Medical Society

of Massachusetts, on the ground that it was not the intention of God that women should practice medicine. Not long ago, two clergymen in Canada warned their congregations against patronizing two women who had established themselves in the vicinity as dentists, on the ground that such occupations are opposed to the scriptural idea of the sphere of woman. The sufferings of women in child-bearing, the result of false habits of life, are attributed to the curse pronounced on Eve, which is supposed to be irrevocable. So fully are the most bigoted and ignorant women convinced that this is Heaven's decree, that physicians find difficulty in persuading them to mitigate their sufferings by taking chloroform. What a perversion of the religious element in our natures, thus to mar the natural joy of maternity and fill young women with painful apprehensions at a time when, of all others, life to them should be filled with bright anticipations.* Thus the will of God and the teachings of the Bible are misinterpreted to degrade woman, and the direct effect is to destroy her self-respect and impair her physical and mental well-being.

Again, the antagonism of the sexes is another fruitful cause of the ill-health of women. In Fénelon's "Dialogues of the Dead," Charles V. begins a conversation with Francis I., of France, thus: "*Maintenant que toutes nos affaires sont finies, nous ne ferions pas mal de nous éclaircir sur les déplaisirs que nous nous sommes donnés l'un à l'autre.*" I can well imagine a conversation opening in like manner between the male and female angels. As public thought just now seems to be drifting toward the consideration of sex, after granting all the differences necessary on which to base any argument, I claim that, because of these very differences, constant association in every sphere of life is important for the best development of boys and girls. In their games, boys rouse girls to activity; in their studies, girls stimulate boys to diligence, and once on the same plane they rise together into higher realms of thought than either alone can ever reach. It is a false philosophy which leads many to suppose that the errors into which young men and women sometimes fall, in the present artificial relations of our social life, would be

* The celebrated Dr. Depaul, Professor of Obstetrics at the Paris Medical School, refuses, on biblical grounds, to give chloroform at his *cliniques d'accouchement* or in his private practice. I have this fact from one of his colleagues in the Medical School.

increased if they were educated together in greater freedom. On the contrary, one-half the foolish dreams of each would be dispelled if they met every day on the play-ground and in the recitation-room: a better knowledge of their true relations would thus be acquired. There is a subtle magnetism, peculiar to each, as necessary to the harmony and perfection of society as the positive and negative attractions, the centripetal and centrifugal forces, to the order and stability of the material world. Hence the health of both sexes would be vastly benefited, and their intellectual faculties invigorated, by a more rational intercourse and a better understanding of the natural characteristics of each other. More misery comes from the antagonism between man and woman than from all other causes put together, for each starts in life worshiping an ideal being who has no existence in this world. Disappointments in love affect the health of women to no small degree, for love and religion are the only legitimate occupations vouchsafed to those of wealth and position. The distractions of business, politics, and out-door amusements, which help to fill up a man's life and change the current of his thoughts, are all denied to this class of women.

But, to inveigh against existing social customs and suggest no remedy is to be a hopeless iconoclast. The earnest thought of our century must turn itself to the need of coöperation in domestic life. In former times each man was his own shoemaker, tailor, bow and arrow manufacturer, and huntsman. In this chaos of unsystematized work was pronounced that "open sesame" to hidden wealth — division of labor. Men then began to have professions and satisfy their ambitions. Now, is it not as idle to expect women to perform well all the varied branches of domestic life, as to expect a man to be at once bookkeeper, salesman, buyer, and overseer? Such a man would remain in all his callings an apprentice; and is woman more than that in domestic life to-day? Most of the departments in household economy demand different, if not incompatible, orders of mind, and if their management is forced upon one person there is no opportunity for the play of ambition or individual taste. As things are, each woman must peform some fifty distinct duties, forty-nine of which are distasteful, and yet each of the forty-nine is congenial to some other woman. The remark of Frederick the Great, that the burdens of the world rested upon himself, jackasses, and columns, would have been truer if he had substituted for himself the women in the generality of our homes.

As a large part of the wealth of the world is distributed by women, it behooves us to modify the evils in our present system, and adopt methods suited to the higher wants of humanity. We must insist that in domestic matters the woman be primary and the external conditions secondary; that customs, however old and well established, must yield to her best interests,—to her health and happiness,—and not dwarf her to suit the demands of popular prejudice. Godin's magnificent palace at Guise, France, where eight hundred laborers are well housed, fed, and clothed, and where, with all the appliances for education and amusement, everything is obtained at less cost than in their former comfortless homes, is the bright dream for women in the future.

ELIZABETH CADY STANTON.

DR. CHADWICK.

THE woman herein to be considered is one whose ancestors were of good English stock, and came to New England at least two or three generations back. The fact that she now presents a type — both mental and physical — which differs widely from her contemporary of like descent, whether resident in England or any one of its other colonies, shows that she has become, to a great extent, naturalized. Her essential characteristics are too well known to require description. The absence of hereditary social distinctions, the relations of society, and woman's novel position therein, account in great measure for this divergence from the ancestral type, but they do not come within the scope of these remarks.

It is my purpose to discuss briefly the relative importance of several of the most prevalent and potent causes of ill-health in women, which have been recognized as existing in this country, to wit: (1) education; (2) climate; (3) food and drink; and finally, (4) to consider the effect of this change of type upon her fertility.

(1) A furious onslaught was made about ten years ago upon the prevailing methods of educating girls in this country, on the assumption that a rest from all continuous mental labor, for one week out of every four, was essential to the proper performance of their peculiar physiological function, and to the preservation of their general health. Men even so high in authority as the late Dr. Edward H. Clarke misled the

public by attributing to this function purposes which do not belong to it. That writer asserted that both sexes alike had certain organs of elimination, such as the bowels, kidneys, lungs, and skin, but that to woman was assigned the exclusive management of another process of elimination,—the menstrual function,—by the imperfect operation of which poisonous ingredients were retained in the blood, and the system was depraved. This theory was formerly entertained; but it has long since been demonstrated that no excrementitious elements are contained in the monthly discharge, which consists solely of blood and the detritus of a few epithelial and mucous cells. All the baneful effects supposed to be produced in the female system by this cause consequently fall to the ground. It is likewise untrue that the human system is inadequate to allow two functions to go on healthily at the same time. The brain, the kidneys, the stomach, and other organs are known to be generally in active operation at the same time without exhausting the vital powers. A woman is endowed by nature with additional vigor to meet the requirements of an additional function. There would consequently be no reason from analogy for believing that an ordinary amount of brain-work could not be done during what is popularly called the activity of the menstrual process.

In order to present clearly to the non-professional mind the nature of the sexual function in woman, and the extent of its demand upon the constitution, it may be divided into two processes, or groups of processes—the local and the systemic. The local processes consist in the ripening of the ovule in the ovary, and the growth of the mucous membrane in the uterus. The occurrence of menstruation does not indicate the supervention of activity in these organs, but precisely the reverse; it indicates the termination of these functions,—in the ovary by the escape of the fully ripe ovule, in the uterus by the death and discharge of the membrane, which had been forming since the previous monthly epoch, to become a nidus for the ovule in case of fecundation, whereby its nutrition and growth might be insured. These two processes are going on in the interval between the menstrual epochs. Unlike the other functions of the body, they contribute in no way to its life, but have for their respective ends the generation and nutrition of the offspring during its prenatal existence; their disordered action consequently has no

direct effect upon the system, except in so far as the latter may provide for an inadequate or excessive outlet for the discharge of the surplus blood-supply. This brings us to a consideration of the process designated as *systemic*, which is the manufacture, in the organism at large, of blood in excess of that required to carry on the other vital processes of the individual, to supply nutriment to the ovule in case of fecundation. When this surplus amount of the nutritive fluid is not needed, it is simply expelled from the body.

This exposition assigns a less important rôle to this function in its effect upon the individual than that generally accepted; yet, I believe this to be true of races whose physical, mental, and emotional natures are developed in their true relations. Unfortunately, the tendency of civilization is to dwarf the physical development, and to stimulate the mental and emotional powers to such an extent that functions which were designed to operate without disturbance have come to be attended by pain and obscure effects upon remote parts of the body. With regard to woman's peculiar function, the completion of the local processes, with the coincident rush of blood to escape from the body through the special organs, is now not uncommonly attended by local pain, or by the derangement of other functions, owing to the abnormal acuteness of the sensory faculties. The first aim of any system of education should, therefore, be to keep this part of woman's capacity in proper subordination. The resulting immunity from pain, from such a course of education, will apply to all the operations of the system, but especially to the sexual functions, because they are more intimately associated with the emotions than are other functions. There is no reason to believe that the training of the reasoning powers has any effect in developing the emotions, but quite the reverse.

One peculiarity of the human mind gives great weight to this view,—its inability to take cognizance of more than one mental operation or sensation at a time. If the consciousness can be continuously occupied by the process of reasoning, the sensations that are created by the operation of the vital processes going on in the body will pass unheeded. The aim of our schools for girls should, therefore, be in a direction already adopted for boys, which is the reverse of that urged by the would-be reformers. Care should be taken that the brain be not stimulated

to over-activity, for the inordinate exercise of one function, whether it be of the brain, the stomach, or any other organ, cannot take place without drawing too largely upon the reservoirs of vital energy to leave enough for the proper activity of the other functions. As the processes included in menstruation —ovulation, nidation, and blood-production— are constantly going on in the system, remission of mental or physical exercise, during any special week in each month, will have no more effect in reserving of energy for the benefit of the other functions than rest during any other week. On the other hand, it is certainly wise that there should be special supervision over the general health of girls during the year when the sexual function is being established, in order that repose may be enjoined should it become evident that the vital energy is inadequate to carry on a new process while the others are going on in their previous vigorous activity.

Thus far only mental training has been considered, but the physical powers need development as well. Girls should have hours when they are expected to run, jump, swing, play ball and engage in other active games, to shout and laugh, for by all such exercise the muscles are developed and strengthened, the blood is made to circulate freely, and the lungs are fully inflated, so that a full supply of oxygen is obtained, and the effete carbonic acid expelled.

How are these principles to be applied to secure better health for our girls and women? In place of directing their efforts promiscuously to the study of music and drawing, to the acquisition of a smattering of several foreign languages, of history and of poetry; in place of allowing or even encouraging them to make playthings of the natural affections by indulging in indiscriminate flirtations; in place of taking them from all serious studies or pursuits at the age of seventeen, and tossing them into the vortex of society life, where their ambition shall be to excel in dancing or to attract the largest circle of admirers, with the sole ulterior object of securing a husband; in place of all these practices, which tend to develop the emotions only, let us subject their minds, from the earliest childhood to full womanhood, to a systematic course of physical and mental exercise; let us store their minds with useful information; let us disclose to them the entrancing interest of nature and nature's laws; and finally, let us open, as an end and motive for their efforts, the same

fields of labor, with the prospects of reward, as are now open for men. When we have done all this, we shall have made a real advance toward securing for them the greatest boon in this life — a healthy mind in a healthy body. Very few facts have been as yet collated to illustrate the effect of such a system of education as is here sketched, but these few, so far as they go, confirm our *a priori* considerations.

The girls in this country who follow their studies so assiduously during their early years as to acquire a fondness and capacity for study, and are, in consequence, allowed to enter the colleges which offer them opportunities for higher education, such as Michigan University, Mount Holyoke Seminary, Oberlin, Vassar, and Antioch Colleges (whether these institutions are devoted exclusively to women, or educate the youth of both sexes alike), have been shown by trustworthy statistics to suffer less from ill-health than other girls, as a result of their mental training and physical discipline.

(2) The climate is chiefly characterized by its dryness, the intense heat of summer and cold of winter, and the extreme and sudden variations of temperature at all seasons.

The absence of moisture in our atmosphere is undoubtedly the cause of its extremely stimulating quality, whereby we are all impelled to the expenditure of energy in all directions. While this leads to a modification in our *physique*, and exposes us to premature exhaustion of the nerve-forces, it must have more than its compensation in saving us from many sources of ill-health to which nations under other climatic influences are subject. A comparison of the English life insurance tables with our own proves this statement by making evident the fact that the chances of life for men are, on the whole, better in this country than in England. I see no reason to doubt that the same fact would be true of women, were like comparative statistics available.

The cold of our winter probably has less direct effect, owing to the prevailing dryness of the climate, than might be presupposed. Indirectly, however, it enforces habits of life which are peculiarly baneful to the female sex. I refer, more especially, to the confinement of our women, whose duties are chiefly domestic, to the house, and, among the rural population, often to one room. The extreme cold necessitates artificial heating, which, among the upper classes, is usually effected by furnaces in the cellar,

whence superheated air is distributed throughout the house; the rooms are too often overheated, and liable to be filled with the products of combustion. Among the lower and middle classes in the country the women often pass two or three months of winter in a single room, heated by an iron stove. No provision is made for the admission of fresh air to the room, and the wife's or daughter's duties and inclinations rarely lead her to seek it out of doors. In this room she cooks, and washes, and scrubs, breathing the same heated air over and over again, which is too often loaded with carbonic acid from the stove, and with noxious vapors from the sink, and, worse still, from the untrapped drain-pipe. Her lungs are rarely stimulated to full expansion by the fresh, cold air which is circulating about the house; her muscular system languishes from lack of proper exercise.

(3) To complete this sorry picture of the life led by the women among our rural population, and, to a less extent, among the lower and middle classes of our larger New England cities, a glance must be cast at their diet. This could hardly be worse, and it is in my opinion a most potent and prevalent source of ill-health. We live, as some one has appropriately said, "in the zone of perpetual pie and doughnuts." These "unassimilable abominations," together with sodden, half-baked bread, baked beans, cake, happily combined with an abundance of fresh meat, constitute the principal food of our lower classes. Their drink is chiefly tea, which is kept steeping constantly over the fire, and is often consumed in prodigious quantities. While entirely deficient in nutritive properties, this beverage stimulates the nervous system, intensifying the powers of sensation, while it allays the craving for nutriment. It is my belief that tea inflicts almost as much injury on the female sex as alcohol does on the male. To the credit of our women of all classes, it must be said that consumption of spirituous liquors by them is almost unknown.

As more than offsetting the baneful effect of its indigestible character may be cited the universal abundance of food. There is no family in the land so poor as to be in want of food; fresh meats, which are luxuries but occasionally obtained in the older countries, are rarely absent from their tables. The plenty only renders more abhorrent the depraved tastes which our people show in their selection. Herein lies a grand field for a reformer.

(4) Finally, is the capacity for bearing children lessened by any of the influences peculiar to this country which have been adduced as likely to have operated in diminishing the vigor of our women? That our women have less children than formerly, may be admitted; but the same is true of French women, who are not subject to the same depressing causes. The sexual vigor of a race of women is evinced to a certain extent by the length of the child-bearing period. I have facts to show that in this respect our women surpass those of other nationalities domiciled in this country. A careful and discriminating analysis of the records of my private, hospital, and dispensary practice shows that in 4228 cases the average age at which the women began to menstruate was as follows:

	No. of Women.	*Age at first menstruation.*
Swedes	32	16.437 years.
Germans	74	15.540 "
Scotch	34	15.176 "
Irish	1142	15.176 "
English	185	14.459 "
Americans	2503	14.316 "

Carrying the analysis a step farther:

	No. of Women.	*Age at first menstruation.*
Americans of Irish parentage	678	14.43
Americans of American parentage	1454	14.25

These figures show the startling facts that, while the average age of the first menstruation in 1142 women born in Ireland was 15 years and 66 days, the average in 678 of their children, born in this country, was 14 years and 175 days; while the American women born of American parents began to menstruate at the average age of 14 years and 38 days.

Cessation of menstruation:

	No. of Women.	*Age at last menstruation.*
Irish	150	44.366
English	16	45.000
Americans	99	45.565

While these last figures hardly include enough women to justify absolute deductions, they seem to indicate that in American women the child-bearing period continues more than two years later than in the Irish here, and that the various influences

here at work are invigorating the generative powers of female immigrants.

	Average duration from above figures.
Irish	29.19
English	30.541
Americans	32.249

Calculating the duration of the child-bearing period in those women from whom I could obtain both data, I found:

	No. of Women.	*Average duration.*
Irish	122	29.16 years.
English	14	31.35 "
Americans	92	31.85 "

Without claiming for these relative figures very great exactitude, I think they demonstrate that the child-bearing period of American women is very perceptibly longer than that of other nationalities who are here as immigrants.

Arguing from these facts and other considerations, I feel warranted in the belief that the small present fertility of Americans is not due to physical inability, but probably to social causes. While it is questionable whether the various methods employed to prevent conception have a more deleterious effect than the proportionate greater number of births would have, there can be no doubt that the premature artificial termination of gestation is a source of much ill-health, and is to be greatly deplored. The absence of all provision on the part of the State or central government for the care of illegitimate children is a potent factor in bringing about this abuse, and in breeding a sentiment in its favor throughout the community.

In conclusion, while admitting the above and other conditions as causes of impaired health among American women, I do not regard them as inherent in our climate, institutions, or social life, but as merely incident to a people in a strange land and under temporary conditions of life. I fail to recognize the fact as asserted, that our women are, as a whole, less healthy or robust than those of other countries. And I have seen so vast an improvement in their physical and mental vigor during the few years over which my personal observation extends, that I feel encouraged to predict for them in the near future as great pre-eminence in physical and mental strength as is now universally accorded them for physical beauty.

JAMES READ CHADWICK.

CONSTITUTIONAL PROHIBITION IN IOWA.

"A wrong not resisted is approved."

On the 27th of June last, the people of Iowa decided, by a majority of nearly thirty thousand, to place in the Constitution of the State an amendment, which declares that "No person shall manufacture for sale, or sell, or keep for sale, as a beverage, any intoxicating liquor whatever, including ale, wine, and beer." Asked by the Review to state the reasons which led to this action, I have to say, first, that the measure alluded to is not, properly speaking, a "sumptuary law." It is not directed against the individual's right of use, but its sole aim is to destroy the business of manufacturing and selling intoxicating liquors for use as a beverage; provision still remaining for the manufacture and sale for all necessary purposes. Hence the campaign for the adoption of this measure took on the features of a direct crusade against the saloons, the churches and the temperance societies enlisting earnestly in the struggle against their hereditary foe. Great influence was exerted by these organized forces, and especially those in which the influence of woman was prominent. Beyond question this was the most striking feature of the campaign: it was not a force of controversy or aggression, but a subduing appeal for the protection of the family and the home. The issue was squarely joined between the saloons and their long-time enemies.

Personal considerations did not govern the result. There were many instances where men of high character and rigidly temperate habits worked and voted against the proposed amendment. On the other hand, large numbers of persons of grossly intemperate habits voted for it. Thousands of those who favored the measure were men of temperate, though not abstemious habits, whose personal custom it was to use liquors for

refreshment, or as a beverage on occasions, but who were still brought to demand the destruction of the drinking-saloon business. Separated as the issue was from mere personal considerations, it was also wholly divorced from party politics. The election was a special one, where no other question was pending, and was, in the strictest sense, non-partisan. Every attempt to make prohibition a party issue in this State had failed. In previous years prohibitory parties had been formed and candidates nominated, but the vote obtained was insignificant. The voters refused to support the proposition so long as it was complicated with questions of party or candidates, but demanded that it be presented in bold relief, regardless of party, and as a broad question of public policy.

The most significant feature of the result is to be sought in the influences which brought so many moderate-minded voters to the support of rigid prohibition. In round numbers, one hundred and fifty-five thousand electors voted for the adoption of the amendment. A large proportion of them had not been known previously as professed prohibitionists. They had inclined toward moderate views and great tolerance toward others, were disposed to regard temperance reform as the work of personal effort rather than legal enactment, and were reluctant to adopt extreme measures in regard to any question of social custom. It is in the influences which converted so many of this class into rigid prohibitionists that the full significance of Iowa's action is to be found. The action taken is only to be understood by tracing the steps which led up to it through many years of patient experiment and sore trial of the charity which suffereth long.

Prohibition is not a new idea in Iowa. It was brought here by the first settlers, and soon became a strong factor in the public sentiment of the community. Possibly this statement may surprise those who are disposed to the vague idea that a new State of the West must, from the nature of its circumstances, be addicted to the easy customs of the frontier and have about it a flavor of mining-camp morality. An entire mistake! A mining region, with its wild excitements, its lack of home influences, its great fortunes, and attendant poverty, furnishes no parallel to an agricultural State like Iowa, even in the earliest days of its settlement. Such a State attracts hardy and enterprising immigrants through the certain and thrifty rewards it offers to

well-directed labor. Its early settlers bring wives and children with them, and they come to found homes as well as fortunes, and to gain both by industrious, thrifty lives. Frugality and industry were the cardinal virtues of the pioneer farmer who first turned the soil of the prairies. Years of self-denying effort made up the price which the early settlers paid for the homestead farms where they now dwell in comfort and plenty. Habits of thrift and temperance were thus introduced here at the outset, and soon became, in good measure, "native to the soil." The early settlers and seekers after homes and homesteads were men of temperate habits, and soon established a state of society in which the waste and idleness of intemperance were held in great disrepute. This sentiment soon found its way into public affairs. The first Governor of Iowa, in his inaugural address at the opening of the first Territorial Assembly, urged the necessity of strong laws against intemperance. Attention was drawn in this direction because there had gathered about the trading-posts an element which was in irrepressible conflict with the homestead farmers of the prairies. Grog-shops were opened in some of these places at an early day. The first evil developed was in the sale of liquor to the Indians, who soon acquired an insatiable appetite for strong drink. Wherever these grog-shops were established, the Indians were reduced to great degradation and poverty through their consuming thirst for liquor. This was one of the first evils to call for legislative action in the new Territory. Addressing the Territorial Assembly in 1841, Governor John Chambers said, with righteous indignation: "Humanity shudders and religion weeps over the cruel and unrelenting destruction of a people so interesting, by means so dastardly and brutal, that the use of the rifle and sword, even in a time of profound peace with them, would be comparatively merciful."

Convinced of the evils of the sale of liquor to the Indians, the legislators of that day did not hesitate as to the best means of meeting the danger. The first statute book of the Territory of Iowa bore on its pages an absolute prohibition of the sale of intoxicating liquor to the Indians. This seed was not sown in the sand. It established in Iowa the principle of prohibiting the sale of liquor whenever it proved to be an evil incapable of control. Although the Indians have long since disappeared, the statute has passed into the codified law, and stands unchal-

lenged and unrepealed; nor am I aware that its repeal was ever advocated, or other objection made, except that its penalties were not sufficiently severe.

"How far that little candle throws his beams!"

It was inevitable that, when the prohibition of sale to one class was found to work for its benefit and the good of the State, it should come to be asked, with increasing emphasis, why it would not prove an equal blessing to others. The principle of prohibition was established; the extent of its application remained to be fixed by the necessities of the time. The idea of "legal suasion" grew in favor in the hamlets and on the homestead farms of early Iowa, and it was not long before the point of entire prohibition was reached. So long ago as 1851—years before the completed "Maine law," and when there were probably not more than thirty saloons in Iowa,—a law was enacted which declared every dram-shop a public nuisance, and prohibited the sale of intoxicating liquor at retail under heavy penalties. In 1855 this was replaced by an act of sweeping prohibition, with penalties better arranged for its enforcement, and forbidding all sales of liquor, except for necessary purposes, and then only under stringent regulations. In the same year the measure was submitted to a vote of the people, and was approved by a majority of nearly three thousand in a total vote of forty-eight thousand two hundred. Three years later there came a change. The introduction of the railway system had stimulated the growth of the large towns, introduced a transient population, and hence brought new factors into the State. About this time the effect of a heavy immigration from other States and foreign countries was also felt, and, as a result of all these influences, the prohibitory law was modified in 1858, so as to permit the sale of beer and wine in cities and towns favorable to such license, with "local option" providing for entire prohibition where the community favored such course. This remained the law from 1858 until the adoption of the constitutional amendment in June last.

It was believed this modified "local-option" law was the measure best adapted to a rapidly growing State where great extremes met. In many localities the original prohibitory sentiment had been overbalanced by the great inpouring of immigration. In some instances whole townships were taken up by immigrants from foreign countries, who thus sought to preserve the social life

and customs of their fathers secure from puritanical intolerance. This was off-set in certain villages of New England settlement, where the deed to every town-lot provided for a reversion of title in case intoxicating liquors were ever sold on the premises described. It was between such extremes that the Act of 1858 sought to draw the line of a golden mean. It was believed this Act would prove one of justice and tolerance to all classes of citizens, and tend strongly to suppress intemperance. It was argued that entire prohibition could not be enforced in some localities, and that the constant violation of the statute created a disrespect for all law. It was asserted that the use of such mild beverages as beer and wine would tend to drive out the stronger liquors, and introduce an era of arcadian simplicity, wherein the people would use the mild beverages in the temperate and praiseworthy manner said to prevail in some countries of Europe. It was represented that the brewers and wine-makers were the mortal enemies of the distillers, and the wine-drinking countries of Europe were adduced as examples of the blessed results soon to be reached in Iowa. With such liquors as brandy, whisky, and rum outlawed, and beer and wine provided as substitutes, it was believed the best possible law was provided. Stringent provisions were made against selling even beer and wine to minors, intoxicated persons, or persons in the habit of becoming intoxicated. Under this law the saloon-keeper was required to keep a quiet, orderly place, selling nothing but beer and wine, and these only to persons of upright walk and conversation. The argument in support of this law was plausible, and seemed to have a good foundation in the experience of other countries, and it was finally adopted in the firm belief that it would prove a panacea for many of the evils of intemperance. Municipalities could still prohibit the sale of all liquor; the temperance societies were to continue reforming inebriates and pledging individuals to total abstinence, and no means of "moral suasion" was to be left unemployed.

Many of the original prohibitionists had no faith in this law. They contended it would prove but a cloak for the evils it aimed to prevent; that nothing short of entire prohibition could reach the end desired. Almost from the outset they could point to the confirmation of their fears. The great body of the people held, however, that it would take time to effect the change, and steadily resisted the frequent attempts to repeal the law and

return to extreme prohibition. After twenty-four years of trial, however, they were brought to face the complete failure of the experiment. It was found that saloon-keepers engaged in their business for the sole purpose of gain, and that avarice never permitted the restrictions of the law to stand in its way. At least four-fifths of the saloons systematically defied every regulation. Liquor of every kind was sold, and sold to minors, to intoxicated persons, and persons in the habit of becoming intoxicated. The use of beer and wine seemed but to create an appetite for the stronger drinks. The privilege of selling these beverages was used as a license to deal out anything the most depraved appetite could demand. The violation of law was systematic and notorious. The courts were burdened with liquor prosecutions, and the costs in many of the counties became enormous. The most energetic attempts to enforce the law led to but partial success. Under this statute the liquor traffic held sway to work evil continually. It led more or less directly to crime: breaking the order of the streets and the peace of the night; throwing open the doors of jails and almshouses; bringing poverty to many a family and a dishonored death to many a victim. The law was violated in the tippling-shop and evaded in the court-room. The saloon re-wrote the definition of perjury, and taught its customers, when in the jury-box or on the witness-stand, to aid in the evasion of the law. The forbidden liquors were sold under the name of those permitted, and witnesses would declare they were unable to tell which they had bought. Jurors were found to sympathize with the witness who was not an expert in chemistry. The partial license law, which had been adopted with such high hopes, was torn and dishonored in every part, and men usually truthful were taught a new code of morals, so far as its enforcement was concerned. The saloons were sheltered behind the presumption of legality; the privilege of selling beer and wine was the cloak under which all the manifold evils of the liquor traffic were secreted and protected.

Not content with blocking the courts and defying the law, the saloon-system aspired to become an organized force in the politics of the State. It had greatly extended its power during the long experiment of the wine and beer law. It had long been confined to the cities and large towns, but the rapid extension of the railroad system furnished quick transportation for liquors in bulk to every part of the State, and the saloons thus began to

thrust their malign influence into the rural communities. The managers of the liquor traffic no doubt realized the alarm which the extension of the saloon system was creating, for they made every effort to band themselves into a strong political force. Their vote was to be solid against any man who demanded the enforcement of the law. Witnesses, prosecutors, and all who sought to uphold the law of the State were proscribed. It was in this state of affairs that the great mass of moderate-minded people were converted to the support of rigid prohibition. They found the situation to be precisely what Governor Foster says it now is in Ohio, viz.: that the people "must control the saloons, or the saloons will control them." In Iowa the saloons assumed this bold front, in face of the fact that strict prohibitory laws had passed the Legislature in 1851 and again in 1855, and the principle had been approved by a popular vote. All that had been granted the saloons was a matter of concession,—a matter of grace and tolerance; but they seized upon and used it with intolerance and defiance. They appealed to the sword to perish by it.

The managers of the liquor traffic, of their own choice, took the broad way leading to destruction. They not only determined to punish every citizen who demanded the enforcement of the law, but at last resolutely insisted that the people should not have the opportunity to express their will in regard to the liquor traffic. With threats and defiance they opposed even the submission of the question to a vote of the people. Thus their action could not be regarded merely as the evasion of a police regulation, but became a defiance of one of the first principles of free government. They denied the right of the people to express their sovereign will, as they had always defied the law of the majority. The late President Garfield, with his power of touching the heart of a great question, once said the central thought of all American life was in this sentence from the Pilgrim covenant, made on the "Mayflower": "We agree, before God and each other, that the freely expressed will of the majority shall be the law of all, which we will all obey." It is easy to trace this idea into Iowa by direct importation; no power had ever questioned it successfully here; and when the liquor traffic made its defiance open and absolute, the people determined not to endure it. There could be no evils in prohibition so great as those from which they sought escape. They

might not be able to enforce the prohibition against the sale of liquor any more than they had been able to put an end to burglary and murder; but they could, at least, place the denial of the right of the majority to rule where it belonged, as an offense against the fundamental principle of the State.

Would prohibition prove impossible of enforcement? Such had been most emphatically true of the partial license law. Would its violation tend to a disrespect for all law? Surely its effect could be no worse than the license law in every day of its history through twenty-four long years. The people found the argument that prohibition would be violated and create disrespect for all law completely answered in their own experience. The only towns in the State where the law had been decently observed and respected were those which, by "local option," were already under absolute prohibition. Where saloons were tolerated at all it was found that four-fifths of them violated the law constantly and systematically. The evidence was complete. The liquor traffic had defied all control, and the people accordingly passed on it judgment of death.

Surprise has been expressed that such a result should be reached in a State having a voting population at least one-fourth foreign-born. It had been falsely charged that the foreign-born citizens were the chief supporters of the liquor traffic. In truth a majority of the saloon-keepers are native-born citizens. The defiant attitude of the saloon-keepers aroused the indignation of the foreign-born citizens as much as any other class of the community. The election returns have demonstrated that thousands of this class voted for prohibition. In some counties three-fourths of them were for the amendment. The election returns show just this: the foreign-born voters can be depended on to oppose prohibition only in localities where they are massed together in great numbers. The Scandinavian people were an exception to this rule, for under all circumstances they were unanimous in demanding the abolition of the liquor traffic. Of some other nationalities we have communities in Iowa where children of the second generation on this soil speak the language, wear the garb, and adhere to the customs of the fatherland. These localities were solid against prohibition, largely, it is thought, for the reason that in these communities there was less of the evil of saloons run on the "American plan," and less of the defiance of law which aroused such great indignation elsewhere. But the

election demonstrated very clearly that foreign-born voters are not so bound by traditions or old country customs as has been supposed. They come here with the same purpose as the immigrant from the Eastern States,—to found homes as well as fortunes, and to become members of a thriving, temperate, orderly community. Whether it be the influence of climate, the adulteration of liquors, or the nervous constitution of the people, may be disputed; but thousands of our foreign-born citizens declare the fact that the use of liquor is attended with greater danger in this country than beyond the ocean. Where blended with other elements of population, and not massed together in close communities, our foreign-born citizens are as quick to abandon customs not adapted to their life here as they are to cast aside a garb unsuited to the climate.

It is asked what assurance there is that the will of the people can be enforced against the great power of the liquor traffic. The answer must be found not only in the penalties of a statute, but in the spirit and character of the people who have adopted this measure, and who are determined to have it enforced.

With a population gathered from every part of the world, it must be held remarkable that Iowa has been a State of such rapid assimilation. Iowa is an agricultural State,—a land of homesteads and homes, where no great diversity of classes is to be noticed. It was truly said of this State, in the Iowa address at the Centennial, that there was "perhaps no other country on earth where so few people are either rich or poor as in Iowa." Comfort and thrift are general; great fortunes rare. Circumstances of independence and comparative equality have developed a high degree of public spirit. Actively engaged as the people are in their private affairs, they find time to exercise a watchful and exacting care over their public concerns. On all questions their opinions are pronounced and emphatic. I know no better illustration of this marked character of the people than is furnished in the political history of the State. The New England blood which was early infused in Iowa made it one of the most determined anti-slavery States. John Brown, returning from Kansas, found unfailing aid and counsel in Iowa. After his wild exploit at Harper's Ferry, when Virginia was seeking eagerly for the fugitives who had fled from her jurisdiction, some Northern States, in their eagerness to placate the Old Dominion, strained and tortured the law in order to surrender

the persons accused; but one who took refuge in Iowa found himself sheltered under every legal and technical right of citizenship. Governor Kirkwood absolutely refused to surrender him until Virginia had complied with the very letter of the law. A proclamation was fulminated by the Virginia Legislature, virtually accusing Iowa of treason to the Federal compact, but the people rejected the charge and warmly approved the resolute action of their executive. During the war, Iowa was one of the most radical of Union States, adhering to the tradition that the majority should rule. Afterward, it was the first to declare for equal suffrage. This was then thought a perilous experiment with popular prejudice, but Iowa was for the proposition with a characteristic majority.

Although the recent prohibition of the liquor traffic was declared at a strictly non-partisan election, and without regard to party, I cite the political history of the State as the best illustration I can give of the spirit and character of the people. A mere vote is nothing; the character of the people behind it everything. The action taken in Iowa is of deep significance only when it is shown that in their public policies generally the people have been pronounced, unchanging in opinion, and resolute in enforcing their will. Such is the record.

For example: We know nothing here of the strange tendency in other sections of the Union toward a wavering balance between parties. Political parties elsewhere seem to have their feet in the sand, but Iowa stands like a rock. After twenty-eight years of Republican control, the people have no desire for a change for the sake of a change. We know little of the theory that a party must of necessity grow corrupt from long lease of power. The affairs of the people and the affairs of the State alike were never in better condition than in this twenty-eighth year of Republican sway. Iowa has grown from a frontier State into a young empire, its farms harvesting an annual produce greater in value than the yield of the gold and silver mines of the west, and its government directing the public affairs of a people numbering two-thirds of the population of the Republic over which George Washington presided. It has perfected one of the finest school systems of the country; has reduced the ratio of illiteracy in its native population to the lowest found anywhere; has made splendid public improvements and developed a noble system of charities; while the public

ledger shows the State wholly free from debt. A people who have conquered so many difficulties, and been so determined and unyielding in the enforcement of their policies, could not submit tamely to the domination of their greatest enemy. In recent years the liquor traffic has cost the people of Iowa $10,000,000 per annum in money, and in other respects much more. It blocked the courts, terrorized officials, and thrust itself bold-faced into politics. It was against the genius and traditions of the people of Iowa to endure it any longer.

Lord Chatham said, in 1775, in the House of Commons, that the true strength and stamina of a country must be looked for in the men who till its soil. "In the simplicity of their lives is found the simpleness of virtue, the integrity and courage of freedom." In this state of "happy homes and agricultural life" it is such a people who have declared the outlawry of the liquor traffic. The spirit of the people gives every assurance that the effort to enforce the prohibition will be prosecuted with unflinching determination. Prudent, also, they will not attempt to gain in a day the results of years, nor adopt measures so extreme that they would defeat themselves. Just now there is a pause, owing to a doubt as to the legal effect the Constitutional amendment works on a mass of previously existing statutes, and whether or not it makes further legislation necessary. Cases now in the Supreme Court will determine this at an early day, and the path will then be clear. The effort will be worth all it may cost. A State which produces six tons of grain annually for each inhabitant can gain wealth; with a public school system marshaled by twenty-one thousand teachers, it can reach a high grade of intelligence; and surely it could refuse no just effort to shield its people from the untold evils of the liquor traffic. A State of thriving, prosperous people, set free from intemperance and the evils following, has been the dream of ages, and no citizen can hold a better aspiration than that such a result may be reached here; that the name "Iowa"—given this great prairie between the Mississippi and the Missouri—may in its favored translation be made truly descriptive in this meaning of good hope—"This is the place."

BUREN R. SHERMAN.

AN UNDESERVED STIGMA.

On the 27th of November, 1862, a court-martial was convened in the city of Washington, for the trial of Major-General Fitz John Porter, of the volunteer force. The court consisted of nine members and a judge-advocate,—the Judge-Advocate-General of the Army.

The charges against General Porter were:

First. Disobedience of orders under the 9th Article of War.

Second. Misbehavior before the enemy under the 52d Article of War.

Under the first charge there were three specifications of which the court found Porter guilty. These were, substantially:

First. Disobedience to the order of August 27th, requiring him to march from Warrenton Junction at one o'clock on the morning of the twenty-eighth and be at Bristoe Station by daylight.

Second. Disobedience on August 29th, while in front of the enemy, to the joint order to McDowell and Porter, directing them to march toward Gainesville and establish communication with the other corps.

Third. Disobedience on August 29th, while in front of the enemy, to what is known as the "4.30 P. M. Order," requiring Porter to attack the enemy's flank and rear.

Under the second charge the specifications upon which Porter was tried and convicted were, in substance:

First. Shameful disobedience to the 4.30 P. M. Order on August 29th, while in sight of the field and in full hearing of its artillery; and retreat from advancing forces of the enemy, without attempting to engage them or to aid the troops who were fighting greatly superior numbers, and who would have secured a decisive victory and captured the enemy's army, but for Porter's neglect to attack and his shameful disobedience.

Second. Failure of Porter all that day to bring his forces on the field when within sound of the guns and in presence of the

enemy, and knowing that a severe action of great consequence was being fought, and that the aid of his corps was greatly needed; and his shameful falling back and retreat from the advance of unknown forces of the enemy without attempting to give them battle.

Third. Shameful failure of Porter on the same day, while a severe action was being fought, to go to the aid of General Pope's troops, when he believed that they were being defeated and were retiring from the field; and his shameful retreat away and falling back under these circumstances, leaving the army to the disasters of a presumed defeat; and failure, by any attempt to attack the enemy, to aid in averting a disaster which would have endangered the safety of the capital.

These are the accusations that were made against General Porter for his part and failure in the battles generally known as those of the second Bull Run campaign. The court found him guilty of the charges and specifications. If he was so guilty, the punishment awarded was not commensurate with the offense committed. I believe lawyers have taken exception to the formation of the court and to some of its technical rulings; but neither at the time nor since has General Porter attempted to evade the consequences of his acts by any special pleading, or by taking advantage of any technical error in the composition of the court, or the method of its being ordered, but has relied entirely upon his innocence of all the charges and specifications, and would not be satisfied with an acquittal on any other ground than that of his entire innocence.

It will be seen from the foregoing that General Porter's alleged misconduct was embraced in three separate cases of disobedience of orders: one on the 27th of August, and two on the 29th of August; and in having retreated unnecessarily from the enemy, by that act endangering other portions of the army with which he was coöperating.

It will be seen that, though these offenses were alleged to have been committed in August of 1862, he was continued in the command of an army corps until some time in November following, taking an active part in the battles of the day following the date of the last charge, and in command of the defenses of Washington on the west bank of the Potomac, and also at the battle of Antietam, some weeks later. It would look at first very singular that an officer, so wantonly derelict in the performance of his duty as General Porter was alleged to have

been on the 27th and 29th of August, should have been continued in so important a place as the command of an army corps, when so much was at stake as there was on the 30th of August, and in the defenses of Washington, and in the later battles in Maryland, when the invasion of the North was threatened. These facts would indicate to an unprejudiced mind that the charges against Porter were an after-thought, to shift the responsibilities of failure from other shoulders and to place them upon him.

In regard to his disobedience of the order of the 27th of August, he is alleged to have without justification deferred his march from Warrenton Junction to Bristoe Station from one o'clock until three of the morning of the 28th. It was about ten o'clock on the night of the 27th when Porter received the following order:

"HEAD-QUARTERS ARMY OF VIRGINIA,
"BRISTOE STATION, August 27, 1862, 6.30 P. M.

"GENERAL: The Major-General commanding directs that you start at one o'clock, and come forward with your whole corps, or such part of it as is with you, so as to be here by daylight to-morrow morning. Hooker has had a very severe action with the enemy, with a loss of about three hundred killed and wounded. The enemy has been driven back, but is retiring along the railroad. We must drive him from Manassas, and clear the country between that place and Gainesville, where McDowell is. If Morell has not joined you, send word to him to push forward immediately; also send word to Banks to hurry forward with all speed to take your place at Warrenton Junction. It is necessary, on all accounts, that you should be here by daylight. I send an officer with this dispatch, who will conduct you to this place. Be sure to send word to Banks, who is on the road from Fayetteville, probably in the direction of Bealton. Say to Banks, also, that he had best run back the railroad trains to this side of Cedar Run. If he is not with you, write him to that effect.

"By command of Major-General Pope,
"GEORGE D. RUGGLES,
"Colonel and Chief-of-Staff.

"Major-General F. J. Porter, Warrenton Junction.

"P. S. If Banks is not at Warrenton Junction, leave a regiment of infantry and two pieces of artillery as a guard till he comes up, with instructions to follow you immediately. If Banks is not at the Junction, instruct Colonel Clary to run the trains back to this side of Cedar Run, and post a regiment and section of artillery with it.

"By command of Major-General Pope.
"GEORGE D. RUGGLES,
"Colonel and Chief-of-Staff."

His troops had been marching all day, were very much fatigued, some of them only having just arrived in camp and had their supper, when the order to march at one o'clock was received. The night, as shown in the testimony before the court

which tried Porter, and as confirmed by the evidence given in what was known as the Schofield Board, was extremely dark; the road very narrow, with numerous cuts and streams passing through it; bounded by woods on both sides in many places, with no place where the open country could be taken for the march of troops; and blocked up with about two thousand army wagons, many of them mired in the narrow road, so that the officer who conveyed this order to General Porter was over three hours, on horseback, in making the distance of ten miles. Porter was expected, with fatigued troops, worn with long marches, on scanty rations, to make a march on a very dark night, through a blockaded road, more rapidly than a single aide-de-camp, unincumbered, had been able to get through on horseback.

When he received the order, he showed it to his leading generals, and, apparently with one accord, they decided that the movement at that hour was impossible; further, that no time could possibly be gained by so early a start, and that if they should start at that hour and get through to Bristoe Station at the time designated, the troops would not be fit for either fighting or marching on their arrival at that point. Porter replied, however, "Here is the order, and it must be obeyed"; but, after further consultation, he decided, as did his generals, that a postponement of two hours in starting the march would enable them to get through as quick as if the men were kept on foot and under arms while the road was being cleared, and that the men would be in a much better condition for service on their arrival at their destination. He was entirely justified in exercising his own judgment in this matter, because the order shows that he was not to take part in any battle when he arrived there, but was wanted to pursue a fleeing enemy. He did not leave the commanding general in ignorance of his proposed delay, nor of the reasons for it, but at once sent a request that the general commanding should send back cavalry (he had none himself) and clear the road near him of incumbrances, so that the march might be unobstructed.

It is shown that a literal obedience to the order of the 27th of August was a physical impossibility. It is further shown that General Porter was desirous of obeying it literally, so far as was practicable, but was prevailed upon by his leading generals — against whom a suspicion of disloyalty to their commander, or to the cause, has never been entertained — to do what his own judgment approved as the best thing to do — to make a

later start with a view of arriving at his destination as early as it was possible for him to arrive there, and to give to his jaded and worn troops two hours more of needed rest. If the night had been clear and the road an open one, there would not have been as much justification for the exercise of his discretion in the matter; but there is no doubt but that he would have arrived at Bristoe Station just as early, and with his troops in much better condition, if he had started at early dawn instead of at the hour he did, and the intervening time had been used in clearing the road for his troops when they did march. Where there were open spaces along the line of the road, they were either marshy, filled with stumps of trees, and impossible to march over, or were crowded with army wagons, so that the track of his army was limited to the incumbered narrow road between the two points designated in the order, which could be cleared only by the wagons being moved ahead, as requested of Pope.

Much of the testimony before the court and before the army board might be quoted to confirm what is here stated; but as this is all accessible to the reader, I will not lengthen this statement by quoting it.

I question very much whether there was an engagement during the war, or a series of engagements continuing over as much time as was consumed in the battles about Bull Run in August, 1862, when not only one, but a number of generals, did not exercise their discretion, as Porter did on this occasion, and with far less justification. The commanding general who gave the order desired to have the troops at a certain point by daylight, and he gave his orders so as to accomplish that result. Under the circumstances, his order required of the troops an impossibility. That was as evident to Porter, and those with him, before the attempt was made as it was after.

It is a little singular that any one high in rank, connected with the Army of Virginia, should be in ignorance of the arrival of at least a portion of Lee's army, by the very route designated by Pope, many hours before the 4.30 order was published. Porter was not in ignorance of that arrival. Between twelve and one o'clock, on arriving at his advanced position, Porter was shown by McDowell a dispatch from General Buford, sent at 9.30 on the morning of the 29th, stating that from seventeen to eighteen regiments of the enemy had passed through Gainesville three-quarters of an hour before, or at a quarter before nine

o'clock, on their way to re-enforce Jackson, so that the head of the column must have been not only in supporting distance of Jackson, but at the place of deployment by ten o'clock in the morning; and now it is known by others, as it was known by Porter at the time, that Longstreet, with some twenty-five thousand men, was in position confronting Porter by twelve o'clock on the 29th of August, four hours and a half before the 4.30 order was written.

While at the head of their united forces, between twelve and one o'clock, and while Porter was preparing to attack the enemy in his immediate front, McDowell, then in command, showed Porter the "joint order" and also Buford's dispatch. It was evident from this dispatch, corroborated by the enemy's movements in their immediate front, that the main forces of the enemy, which the "joint order" said were far distant, had not only arrived, but had formed a junction with Jackson and deployed in their front. Porter knew of this from another fact. He had prisoners from that force—Longstreet's troops. The object of moving toward Gainesville had been thus defeated, and any further advance, if practicable, would only the more widely separate them from Pope's forces then checked at Groveton, at least two miles distant, and with which they were ordered to "establish communication." McDowell, as he had the right, at once withdrew his troops, leaving Porter with ten thousand men to confront Longstreet's twenty-five thousand, while he went by a circuitous route to a point between Porter and Pope, to establish the communication enjoined.

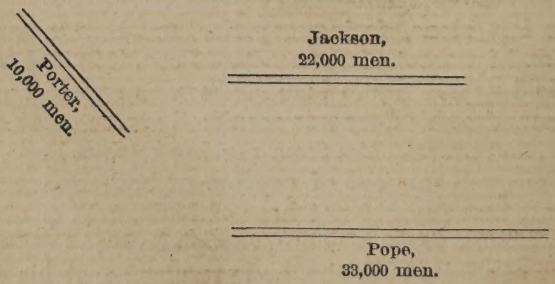
Thus left alone, facing superior numbers advantageously posted, and ignorant of the needs of Pope, if indeed he had any, Porter had necessarily to bide McDowell's arrival on his right. In the meantime his duty was manifestly to engage Longstreet's attention and prevent him from moving against Pope, especially while McDowell was out of support of both Pope and Porter. Porter all that day did not hear of McDowell, or of what was taking place in front of Pope, though he kept the former well-informed of affairs with him, and presumed that his dispatches were sent to the latter. He, however, engaged Longstreet's attention by demonstrations nearly harmless to himself, and so successfully as to cause Longstreet to take Wilcox's division from in front of Pope, in order to strengthen the line confronting Porter, who, at the time, was aware of this movement of forces coming from the right to his front, and notified McDowell

of it. Thus Porter, without sacrifice of men, and without endangering any interests, did more for Pope's relief than if he had gone directly to that general's assistance. To have done so would probably have sacrificed his corps without any benefit, and jeoparded the safety of Pope's army.

So far as I have investigated the case—and I have studied it, I think, pretty thoroughly—I see no fact to base the charge of retreat upon. I do not see that any argument to prove this is necessary, because any reader of history may be defied now to find where and when General Porter retreated during the time specified.

In my judgment, this disposes of the charges, and consequently of all specifications under them, except the alleged disobedience of the 4.30 P. M. order.

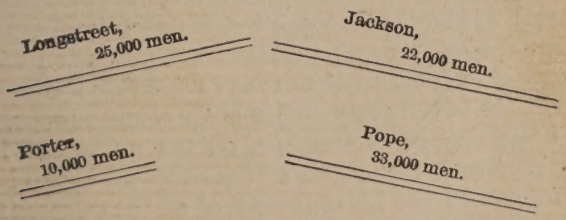
In regard to the charge of disobedience of the 4.30 order, which is the principal one and the one that has most deeply impressed the mind of the general public, there are evidences which look to me important and conclusive, showing that the court-martial which tried General Porter found him guilty under a mistaken idea of the actual facts, now accessible to any one in search of the truth, and which Porter knew to be the facts at the time. As maintained by the prosecution, to the apparent satisfaction of the court, the situation of the belligerent forces were in numbers and position about as here given:



The 4.30 P. M. order of the 29th of August required Porter to attack the enemy's right flank and to get into his rear, if possible. This enemy, in the mind of the commanding general,

and, no doubt, of the court, was Jackson's force of twenty-two thousand men. Porter was supposed to occupy, with ten thousand troops, the position assigned to him in the diagram given. The court also seems to have been satisfied that the order to make this attack was received by Porter from five to half-past five o'clock in the afternoon, leaving him abundance of time to obey the order.

That the commanding general believed the positions as given in the foregoing diagram to be the positions of the different commands, is shown from the fact that in his joint order of that morning he stated that "the indications are that the whole force of the enemy is moving in this direction at a pace that will bring them here by to-morrow night or next day,"—that is, the evening of the 30th or the morning of the 31st of August,—and from the fact that in the 4.30 order he stated that "the enemy is massed in the woods in front of us," thus ignoring the presence of Longstreet. This is confirmed in his map No. 5, furnished to the Government. If these had been the facts of the case, there would have been no justification whatever for Porter's failing to make the attack as ordered; but, instead of the facts being as supposed by the commanding general and the court which tried General Porter, they were as shown by the following diagram. This Porter knew on indisputable evidence.



As shown by this diagram, Porter was not in a position to attack the right flank of Jackson, because he was at least three miles away, and not across his flank, as shown in the first diagram. With Longstreet's presence, to have obeyed that order he would have been obliged, with ten thousand men, to have defeated twenty-five thousand men in a chosen position, before he could have moved upon the flank of the enemy, as the order directed. But, even if the position of Lee's army

had been thirty-six to forty-eight hours distant, as asserted in the joint order to McDowell and Porter, it would have been impossible for Porter to have obeyed the 4.30 order, because it did not contemplate a night attack, and was not received by Porter until about dark. To have obeyed it would have required some little preparation, movement of troops, and distribution of orders, so that it would have been some time after dark before he could have moved from the position he was then occupying, and at least as late as nine o'clock at night before he could have reached Jackson's flank to engage it. His efforts to execute the order, notwithstanding its apparent inappropriateness, demonstrate this assertion.

I consider that these facts, with many more that were brought to the knowledge of the Schofield Board, fully exonerate General Porter of the charge of disobedience of what is known as the 4.30 order, and also of the imputation of lukewarmness in his support of the commanding general.

A great deal that might be said of the movements, the marching and countermarching of troops between the date of the order of the 27th of August and the receipt of the order of the 29th, which would throw light upon this question; but I abstain from giving it, because I believe that what is stated here covers all the points wherein General Porter has been charged with being delinquent.

General Porter has now for twenty years been laboring under the disabilities and penalties inflicted upon him by the court-martial of 1862, all that time contending for a restoration to his position in the army and in society, and always, as stated in the beginning of this article, on the ground of his entire innocence. The investigation of the Schofield Board has, in my judgment, established his innocence of all the offenses for which he was tried and convicted. The sufferings of twenty years, under such findings, for himself and family and friends, is something it is now impossible to set right. Twenty years of the best part of his life have been consumed in trying to have his name and his reputation restored before his countrymen. In his application now before Congress, he is asking only that he may be restored to the rolls of the army, with the rank that he would have if the court-martial had never been held. This, in my judgment, is a very small part of what it is possible to do in

this case, and of what ought to be done. General Porter should, in the way of partial restitution, be declared by Congress to have been convicted on mistaken testimony, and, therefore, to have never been out of the army. This would make him a major-general of volunteers until the date might be fixed for his muster out as of that rank, after which he should be continued as a colonel of infantry, and brevet brigadier-general of the United States Army from the date of the act, when he could be placed upon the retired list with that rank.

In writing what I have here written, I mean no criticism upon the court which tried General Porter, nor upon the officers under whom or with whom he served. It is easy to understand, in the condition of the public mind as it was in 1862, when the nation was in great peril, and when the Union troops had met with some severe reverses, how the public were ready to condemn,—to death if need be,—any officer against whom even a suspicion might be raised. For many years, and till within a year, I believed that the position and number of the troops on both sides were as stated in the first diagram given here, and that the order to attack was received at an hour in the day sufficiently early to have made the attack feasible; and, under that impression, it seemed to me that the enemy, unless through very bad generalship on the Union side, could not have been able to escape while a superior force confronted him and ten thousand men flanked him. But a study of the case not only has convinced me, but has clearly and conclusively established, that the position and numbers of the armies were as given in the second diagram.

If a solemn and sincere expression of my thorough understanding of and belief in the entire innocence of General Porter will tend to draw the public mind to the same conviction, I shall feel abundantly rewarded for my efforts. It will always be a pleasure to me, as well as a duty, to be the instrument, even in the smallest degree, of setting right any man who has been grossly wronged, especially if he has risked life and reputation in defense of his country. I feel, as stated on a previous occasion, a double interest in this particular case, because, directly after the war, as General of the Army, when I might have been instrumental in having justice done to General Porter, and later as President of the United States, when I certainly could have done so, I labored under the firm conviction that he was guilty; that the facts of the receipt of the 4.30 order were as found by the court, and that

the position of the troops and numbers were as given in the first of these diagrams. Having become better informed, I at once voluntarily gave, as I have continued to give, my earnest efforts to impress the minds of my countrymen with the justice of this case, and to secure from our Government, as far as it could grant it, the restitution due to General Fitz John Porter.

U. S. GRANT.

THE INFLUENCE OF FOOD ON CIVILIZATION.

From time immemorial the contrast has been recognized between races which obtain their food by utilizing the forces of nature and those which depend for their subsistence on skill in availing themselves of irregular and casual chances. Those who live by agriculture on the one hand, and those on the other who live by hunting, fishing, and so forth, have become so diverse in their nature that a sentiment even of hostility has arisen between the two classes as between races differing in characteristics other than those which seem directly dependent on alimentation. The reason is not far to seek. That a part of the observed difference in this case (this comparatively rough illustration of the influence of food on human progress) depends on the nature of the food used and the manner of life of those using it, may be admitted. But the most important part of the difference between races which depend on agriculture and pasture, and those which live by hunting and fishing, arises from differences in the way in which, of necessity, they view nature. To one set of men all the circumstances are such as to suggest the absence of law and order in the workings of nature. They obtain their food precariously; at one time they may have more than they want, at another they may be in danger of starving; they can recognize no law governing the order of events on which their lives depend,— or, which is the same thing, the means by which they live. On the other hand, those who depend on agriculture and pasture find early that there are laws on which their well-being depends; that by the recognition of such laws, and obedience to them when recognized, nature may be made the servant of man, not a mere chance benefactress. They learn that their fortunes lie in great part in their own hands. Observation and experiment are not only suggested by the very nature of agricultural

and pastoral operations: these are themselves experiments, and experiments only to be made successfully by observant and laborious workers. There must of necessity arise a marked difference in the turn of mind, and in the tone of character, of races thus patiently and observantly obeying and at the same time guiding nature, and the disposition of men trusting to the chances and caprices of the huntsman's or the fisher's life.

As every nation that has ever become civilized has passed beyond the condition in which men depend on hunting or fishing for subsistence, it is unnecessary to dwell further on effects which in point of fact have not to be considered in comparing different kinds and degrees of civilization. They show us, however, at the outset, how important must be the influence of food, and of the manner of obtaining food, on the fortunes of a race, when we see that whether a people will become civilized or not depends thus on the question whether they advance or not to the state in which men no longer depend on an irregular and capricious supply of food, but on regular processes, partly the result of their own acts, partly the steady work of nature.*

In considering the influence of food on civilization it has been

* Buckle, indeed, goes so far as to attribute not only the origin of civilization, but of men's religious ideas, to the nature of their food-supply. Singularly enough, he does not seem himself to have observed how directly he has traced the rival doctrines of chance and necessity, free-will and predestination, to the kind of food men use; for, once engaged with the religious question, he does not turn back to the subject by which it was introduced. But it is immediately after he has discussed the effect of a steady supply of food, depending on the stability of the laws of nature, that he goes on to show how, as a necessary consequence, certain religious doctrines would arise. The irregularity of the hunter's or the fisher's supply would prevent him from suspecting anything like method in the arrangements of nature, nor could his mind even conceive the existence of those general principles which govern the order of events. . . . But, as the observations of those who live by agriculture and pasture accumulate, "and as their experience extends over a wider surface, they meet with uniformities that they had never suspected to exist, and the discovery of which weakens that doctrine of chance with which they had originally set out. . . . Thus it is that, in the ordinary march of society, an increasing perception of the regularity of nature destroys the doctrine of chance, and replaces it by that of necessary connection. And it is, I think, highly probable that out of these two doctrines of chance and necessity, there have respectively arisen the subsequent dogmas of free-will and predestination." Strange, if in the mode of seeking food should be found the origin of the two lines of thought, along one or other of which men have been led from time immemorial to the choice of their religious views.

customary, until of late, to start from Liebig's chemical division of food into two classes,—the heat-producing and the tissue-forming,—a division first pointed out in reality by Magendie. It was held that the temperature of the body is maintained by substances which contain no nitrogen, or little, while the wear and tear of the body is repaired by food in which there is an abundance of nitrogen. Liebig maintained that animals cannot possibly form their tissues out of anything but the proteids originally generated by plants. He was not aware that the foods which had been commonly regarded as essentially heat-producing are tissue-foods too. What was essentially right in his doctrine was that animal tissues cannot be formed out of saccharine compounds, as starch and sugar, unless these have been changed into fat. He also was right in regarding the use of far the greater portion of carbonaceous food as that of fuel for the animal fires,—that is, that it served to maintain the animal heat. He assumed, says Dr. Carpenter, "that the only purpose served by the oxidation" (or, as it were, "burning" of the food within the body, by combination with oxygen taken in through the lungs), "was the production of heat; affirming that all the mechanical force exerted by the animal body is the product of the transformation of living muscular fibre into dead,—the vital force which was expended by the living tissue being expended in the shape of motion. The oxidation of the dead material he regarded as only a consequence of its loss of power to resist chemical agencies, and as a means of its removal,—serving at the same time as an additional source of heat. And rightly judging that this chemical metamorphosis should show itself by the increased excretion of urea in the urine (the kidneys furnishing the channel through which most of the nitrogenous waste is carried out of the body), he appealed, in support of his doctrine, to what he supposed to be the fact of such increase, and its proportion to the amount of work done."

The importance of correct views on this point will be seen when we consider that, if the views of Liebig were sound, the amount of work done by men and animals consuming a small allowance of nitrogenous food would necessarily be small. The work done by a nation,—that work by which at once its progress toward civilization and the value of the advance it had already made is to be measured,—would be in proportion to the amount of nitrogenous food consumed; and the fortunes of a nation

would depend largely on the accessibility of large supplies of such food, and its resulting cheapness.

It appears certain, from experiments recently made, that the views of Liebig on this point were not sound. The production of muscular energy is no longer regarded as an expenditure of the vital force of the muscle substance itself, and therefore requiring azotized food for its reparation, but is considered to be due, as Mayer long since pointed out, "to the oxidation of a portion of the non-nitrogenous or respiratory food, the muscular apparatus being the mere instrument by which that oxidation is made to produce motion in place of heat." Experiments made by Joule on animals and by the late Dr. Edward Smith on man (on himself as the most convenient "subject") show that the production of force is not due to the oxidation of the nitrogenized element of the living tissues, but chiefly to the oxidation of the hydro-carbons. Dr. Flint, Professor of Physiology at the Bellevue Hospital, New York, points out (in his *Experiments and Reflections Upon Animal Heat*) that muscular force results from the transformation of the heat produced in the organism after the appropriation of a quantity of caloric sufficient for the maintenance of the constant animal temperature. "The oxidation of the elements of carbon and hydrogen is a much more important factor of calorification than that of nitrogen, for it is certain that the calorific value of the oxidation of the first two, and the quantity of heat thus produced, are much more considerable than in the case of the oxidation of the nitrogen." It is probable, Dr. Flint considers, that a production of caloric is always going on in the living organism, even in the absence of any alimentation. According to his experiments, the heat thus produced results from the oxidation of the hydrogen forming water with the oxygen inspired into the lungs.

The carbohydrates forming so important a part of human food are found in fruits and vegetables, not in animal tissues, or very little. It is otherwise with the various mineral salts necessary for complete nutrition. These are found alike in vegetable and in animal food.

These considerations tend somewhat to modify the views which had been formed respecting the general influence of food on the progress of civilization. It has been assumed that where either the supply of heat-giving food is abundant, or owing to the nature of the climate, less food of the heat-giving kind is neces-

sary, the population will increase more rapidly, wages be low, and the condition of the laboring classes will be depressed. It is, however, rather the nature of the food employed, and the way in which it is obtained, that are in question, than any difference in the heat-producing capacity of the food, or in the requirements of the inhabitants. For wherever work has to be done, there the food which had been thought useful only for its heat-sustaining qualities must be used to support and repair the muscular energies. The rice which had been thought sufficient barely to sustain life by sustaining heat, in parts of India is found to sustain the working energies also. The Bengalee laborers, for instance, on our Indian railways, work exceedingly well for their size, though they live almost entirely on rice, with a little ghee (butter), or occasionally a small bit of fish. The low wages, and the superabundance of population in India, are not then in reality dependent, as Buckle supposed, on the use of non-nitrogenous food *per se*, but rather on the use of a cereal of great cheapness and abundance, yielding to the laborer a return of from fifty to ninety per cent. In Egypt, again, where dates take the place of the rice of India, and dhourra peas, beans, lentils, and other cheap articles of diet are in use, we find similar results, early and rapid progress, a still more rapid growth of population, exceedingly low wages, and a wide and ever widening disparity among different classes. Whatever discrepancies, as Buckle remarks, may exist between the accounts given by Herodotus and Diodorus Siculus respecting the condition of ancient Egypt, both agreed respecting the rapid increase of the people and the servile condition into which they early fell. "Indeed," as he justly adds, "the mere appearance of those large and costly buildings, which are still standing, is a proof of the state of the nation that erected them. To raise structures so stupendous, and yet so useless, there must have been tyranny on the part of the rulers and slavery on the part of the people. No wealth, however great, no expenditure, however lavish, could meet the expense which would have been incurred, if they had been the work of free men, who received for their labor a fair and honest reward." Where food is very readily obtained in sufficient quantity to supply the wants of the working-classes, there not only are wages low, but population increases with undue rapidity, and, as an inevitable result, the powerful and wealthy squander the lives of the people with recklessness incredible in countries

where the balance is better held between supply and demand. Thus only can we understand how, in any nation not absolutely subdued by an invading force, there should have been such a reckless expenditure of life as occurred in Ancient Egypt, where the old Red Sea canal cost, we are told, the lives of a hundred and twenty thousand Egyptians, whilst thrice that number—the entire population of such a city as Chicago or St. Louis—were employed for twenty years to build the great pyramid of Cheops.*

In one race and in one only, in modern times, outside of Asia, Africa, and South America (that is, belonging to those nations of Europe and America which we associate with the progress of modern civilization), have we had an opportunity of witnessing the effects of the use of a very cheap national food,—the Irish. It has been remarked of the potato, that, until the appearance of the potato disease, it was cheaper than any equally wholesome and nutritious article of food. Adam Smith states in his "Wealth of Nations," Book I., chapter xi., that land sown with potatoes will support three times as many persons as if sown with wheat; but McCulloch is probably nearer the mark in saying it will support twice as many. **As a natural result, in a country where people** are thus (or rather were thus) cheaply fed, wages are lower and the natural increase of the population will be greater than where the national food is dearer. Until the potato disease appeared, the population of Ireland was increasing at the rate of three per cent. per annum; the increase in England during the past year, counting all who have emigrated, was barely half this. It is to this rapid increase of population in Ireland in past times that the difference in the distribution of riches in Ireland and in England has been mainly due. The labor market in Ireland was overstocked. The people were thus compelled to work for such low wages as to be debarred, as Buckle remarks, "not only from the comforts, but from the common decencies of civilized life." This evil condition, he adds, was the natural result

* Τριάκοντα μὲν γὰρ καὶ ἐξ μυριάδες ἀνδρῶν, says Diodorus Siculus, ὥς φασι, ταῖς τῶν ἔργων λειτουργίαις προσήδρευσαν, τὸ δε πᾶν κατασκεύασμα τέλος ἔσχε μόγις ἐτῶν εἴκοσι διελθόντων. Bibliothec. Hist., Book I., chap. lxiii., vol. 1, p. 188. It is only by taking into account this lavish expenditure of labor and of life that we can at all understand the building of such edifices as the pyramids in any ruler's lifetime, or in less, indeed, than a great number of generations.

of that cheap and abundant food which encouraged the people to so rapid an increase that the labor market was constantly gorged.

In the New World we must revert to ancient times for evidence respecting this important law. In the United States and Canada, as will presently be shown, the operation of the law is at present masked by other causes. It is, indeed, only where the law has had time to operate, almost without check, on a population occupying a large but little changing area, that its full effects can be recognized. In some of the older nations of the American continent, this appears to have happened in such sort as to give at least as much prominence to the effects due to the law as among Asiatic and African races. Materials still exist by which we can form an opinion respecting the condition of ancient Peru and Mexico, the only countries in America where the law affecting the relation of cheap food on civilization could be expected to operate. In these regions the warmth of the climate, by rendering life (mere living) easier, both as respects food and raiment, helps to encourage that which is in fact the real cause of the mischievous consequences we have described (for cheap food and easy living are not in themselves evils),—the too rapid growth of a population occupying an unchanging area, however large. So far as mere natural fertility and productiveness of soil were concerned, Brazil, in South America, and the southern and eastern parts of the United States in North America, were far in advance of Peru and Mexico; but the fertility and productiveness of those regions were in excess of what man in past ages could effectively deal with. Nature there was overwhelmingly prolific. As Buckle remarks, "when the productive powers of nature are carried beyond a certain point, the imperfect knowledge of uncivilized man is unable to cope with them or in any way turn them to his own advantage." Civilization would, therefore, never begin in regions where nature is so full of life that we seem to feel, to hear, to see her growth. Only where the powers of nature, though active, are such as man, in the beginning of his attempts at civilization, can deal with and control, do we find that ancient civilizations began; there, only, would the wealth of nature help man to gather together the materials for that progress which we call civilization.

In Mexico and Peru, a substance, even cheaper and more prolific than rice or dates or potatoes, has been and is still one of the most important articles of food. Ixtlilxochitl, the Mexican

historian, by his passing references to maize or Indian corn, shows that before the Spaniards arrived in Mexico it was in general use. If we can believe all that has been said of the growth of maize in Mexico proper, the yield must have always been far greater there than that of any other cereal the world over. Thus, whereas in California the average yield is, I believe, about eighty fold, it is said to be three or four hundred fold, and, under favorable conditions, even twice as great, in Mexico. Humboldt says, "The fecundity of Ilaolli, or Mexican maize, is beyond all we can imagine in Europe. The plant, favored by intense heat and great humidity, attains a height of from two to three *mètres* (say seven to ten feet)." He adds that, in the fine plains extending from San Juan del Rio to Queretaro, a yield of eight hundred fold is sometimes obtained (*Nouvelle Espagne*, vol. II., p. 374). The banana, however, both in Mexico and Peru, afforded an even cheaper and more abundant source of food. "I doubt," says Humboldt, "whether there exists another plant on the earth which in a small tract of land will produce so great a quantity of nourishing food." . . . The produce of the banana exceeds that of wheat one hundred and thirty-three times, that of potatoes forty-four times. This, of course, does not indicate the relative life-supporting powers of bananas, wheat, and potatoes. The produce of the three are related thus:—

Bananas : potatoes : wheat :: 133 : 3 : 1.

But equal quantities of bananas, potatoes, and wheat have unequal nutritive powers, and when due account is taken of the difference, we find that equal tracts of land sown (in suitable latitudes and soils) with bananas, potatoes, and wheat, have life-supporting powers proportioned thus:

Bananas : potatoes : wheat :: 25 : 2 : 1.

We might expect to find, then, that in ancient Mexico and Peru the effects we have been led to attribute to great cheapness and abundance of food, with resulting diminished struggle for mere existence, and consequent over-productiveness of the human race, would be found in even more marked degree than in Asia and Egypt. We might expect that wages would be exceedingly low, and the laboring population reduced to a very degraded condition, while the upper class (for in these cases there are seldom lower and upper classes, but simply an upper class and a lower one) wealthy, luxurious, and despotic.

Yet, even with the anticipations which we might be led to form from what we have already seen of the effects of over-population, we could hardly conceive that a people would ever have been so utterly degraded as the Peruvians and the Mexicans of the lower class seem to have been. On the one hand, we find a class possessing practically unlimited wealth, which they expended, or rather wasted, with incredible prodigality and ostentation. On the other we find a class absolutely without possessions, yet, by a strange irony of fate, the sole tax-payers. "The members of the royal house," says Prescott in his history of Peru (vol. I., p. 56), "the great nobles, even the public functionaries, and the numerous body of the priesthood, were all exempt from taxation; the whole duty of defraying the expenses of the Government belonged to the people."* It was the same in Mexico. "The inferior folk," says Larenaudière in his "Mexique," "who possessed no property and had no commerce, paid their respective shares of the taxes in work of different kinds; by them the crown-lands were tilled, public works were carried on, and the various houses belonging to the emperor were built and furnished.

So utterly sunk were the Peruvians and Mexicans below the level which in our time is regarded as the lowest to which man can be degraded, that they had not even so much of independence as all but the worst slave-owners allowed their negro slaves in former times. "They had nothing," says Prescott, "that deserved to be called property. They could follow no craft, engage in no labor, no amusement, but such as was specially provided by law. They could not change their residence or their dress without a license from the Government. They could not even exercise the freedom which is conceded to the most abject in other countries,—that of selecting their own wives." In Mexico a similar state of things prevailed: the lower class in Mexico being, if possible, even more degraded than the corresponding class in Peru.

It seems, then, at a first view, as if this broad, general lesson were taught—that where nature is most prolific and productive, in manageable degree, there will be on the one hand the earliest

* Ondegardo tells us that they paid "with their persons" (paid tribute with personal travail only, for they had nothing else to pay with), "Solo el trabajo de las personas era el tributo que se dava, *porque ellos no poseian otra cosa.*"

civilization, and on the other the greatest degradation of the greater number. In the process of evolution, by which nations are first formed, then developed, then destroyed, abundance and cheapness of food seem to be all-important factors, at first creative, then destructive—destructive, because the condition to which nations tend, when over-populated, is one encouraging destructive action from without, and causing dissolution by processes taking place within, even without external attacks. This condition is in fine one of unstable equilibrium. We recognize it in decaying nations; we recognize the opposite in nations which are growing and thriving.

Yet, in itself, the abundance of food (whether arising from the cheapness of food itself or from climatic conditions rendering small quantities of food sufficient for the wants of a people) is an advantage in the struggle for life which nations as well as individuals have to undergo. It is an advantage to a nation, because it is an advantage to the individual members of the nation. If the world were as some philanthropists would have it (but as, unfortunately, it is not, nor can be made),—a scene where all can find room, without struggle or disadvantage to any,—nothing would favor progress more than the easy acquisition of the means of subsistence, and the consequent encouragement of a rapid growth of population. To assert that this is really so; that these aims of philanthropy could be obtained with great and ever growing advantage to a nation or to the human race in general, is in fact as remote from the truth as it would be to assert that nothing can favor more the growth and strength of the individual man than the frequent consumption of large quantities of strength-sustaining food. In the very abundance of that, the natural function of which is to sustain life and strength, lie hid, in both cases, the seeds of weakness and dissolution.

The struggle for existence which we recognize so readily in considering the lives of the lower animals, is an all-potent factor in the progress of men and nations. If all men were sound reasoners and resolute to act as their reason taught them, whatever rendered the struggle for life easier would help to advance the race or nation which had the benefit of the difference. As matters actually are, the reverse holds, at least within ordinary limits. Where the conditions are such as in the arctic regions and in sterile lands, and where the destructive powers of nature are constantly in active operation, the struggle for existence is

too severe for rapid progress — races of hardy but uncivilized men are generated under the action of these hostile natural forces; and among the conditions which thus oppose human progress, the scarcity of food, or the necessity for food not easily or abundantly obtainable, must be reckoned as not the least important. But, apart from conditions such as these (under which, when they supervene on more favorable circumstances, the best races of men have been known to rapidly degenerate), a sharp and active struggle for existence among its individual components is essential to the vigor and vitality of a nation. The reason underlying this is or should be sufficiently obvious. It may sound well to hear soft and pleasant things said of the human race, as if it were in some degree or altogether distinct from inferior races in this respect; but it is not the truth. Nature has provided for man, as for the lowest of his competitors in the struggle for life, reproductive powers largely in excess of the requirements of life without struggle. It is absolutely essential, if life is to continue at all upon the earth, that many should die, or else that not all which might should come into existence; and it seems, so far as we can judge, to be essential, if any race or nation is to progress or even not to retrograde, that the actual contest for life should be a hard-fought one, and, therefore, that many should fall in the battle.

In dealing with this question, by the way, Darwin has referred to the increase of the population of the United States, as if it illustrated the possible natural increase of civilized populations under favorable conditions. At least he has compared it with the rate of natural increase which Euler showed to be possible, — six per cent. *per annum*, — nothing like which has ever been known, even during a single year. Of course the increase of the population of North America is quite outside all arguments relating to the natural increase possible in the human race. I do not know that in any part of the United States, even under the most favorable conditions, a natural increase of more than three per cent. per annum has ever been observed, — or indeed, that it has been possible anywhere to distinguish the natural increase from that which has arisen only from immigration or the shifting of population from one spot to another. Still there can be little doubt that even such an increase as has been observed in the United States, by which the population doubles in about twenty-five years, might occur naturally under favorable

conditions. At this rate the present population of the United States, say, roughly, fifty millions, would cover the habitable part of North America,— say seven million square miles,— so thickly that four men would have to stand on each square yard of surface,—in little more than five hundred (more exactly, in five hundred and seventeen) years. In six hundred and seventeen years, a surface sixteen times as great would be covered as densely — or one hundred and twelve million square miles, which is much more than the entire land surface of the globe. In less than six hundred and forty years the whole surface of the terraqueous globe would be covered, four men to the square yard, from the present population of the United States alone, at the supposed rate of increase. But, apart from such an unusual rate of increase as this, if we take any such a rate as one and a half per cent. per annum, which is about the rate of natural increase in old and settled countries like England, it would take but one thousand one hundred and eighty-eight years,—a mere nothing in the history of the world,— to thus crowd the earth's surface, land and water, with the descendants of a present population of fifty millions. It is hardly necessary to say that in a much shorter time, at this perfectly normal rate of increase, the world would be utterly uninhabitable.

We perceive, then, what an important factor that must be, of which Darwin has remarked that it is the primary or fundamental check to the continued increase of man,— the difficulty of gaining subsistence and of living in comfort. We cannot wonder that the whole character of past civilizations, in the Old World and in the New, should have been affected by this potent cause,—that where the difficulty of gaining subsistence has been unduly small, other active means of destroying superabundant population should have come into existence, to replace that one which should be the primary force working to that end. In a country like the United States, where subsistence is easy, but where, also, there is plenty of room, we see very rapid growth and development. We may believe that, as Darwin says, if the means of subsistence were doubled in England (or, which would come to much the same thing, if people in England would be content with or could live in comfort on the cheap articles of food used in Asia and Africa), the population in England would be quickly doubled: and for a while the process of development in a nation undoubtedly gains by those causes which encourage an

increase of population. But just as the development of the natural body is part of the progress toward death, and eventually leads to death; so that increase of population, by which a nation's first steps to power are determined, becomes (unless checked by the increasing difficulty of securing the means of living) part of the progress toward the nation's dissolution, and toward the surcease of its civilization.

If we consider what are the conditions as to the nature of food used and required, and the abundance of the supply, most favorable to the progress of a nation, we encounter at the outset this difficulty that the favorable conditions of one stage of a nation's history become unfavorable conditions in another. There can be no question, for instance, that the abundance and cheapness of food (of all, at any rate, which is essential for food) in the United States, are at present among the factors which encourage the development of the nation; the chief reason being, that America is still in the stage when labor can command good terms. It is unlikely, also, that, for many generations, America can suffer from over-population resulting from undue ease in the conditions under which the bulk of the people obtain sustenance. Yet that danger lurks in the background for America as it has for other nations. Or rather, we can recognize, and in no very remote future, a time when the means of subsistence will no longer be so much in excess of the actual wants of the people as they are at present,—when, therefore, the increase of population will no longer be so rapid, and the tendency to cheap labor, which would otherwise have arisen, will be checked by a hardening of the conditions under which the struggle for life has been carried on. We may recognize in several European nations the action of this safety-valve against unduly rapid development. In England especially this has been the case. The conditions under which the bulk of the people in England subsist, have never become and are never likely to become unduly easy. The natural increase of the English people is nevertheless too rapid, and it is only the outlet found in emigration which has saved England in great degree, as it has saved other European nations, in greater or less degree, from the miseries and degradations which arise from an overcrowded population. Where a similar outlet may be found for an excess of population, when that danger is threatened in America, does not yet appear. It may be that safeguards of other kinds may come into action before that danger super-

venes. If man differs from the lower animals in this, that, with advancing civilization, an ever-increasing proportion of the race see the folly and wickedness of fighting, that more and more stringent and scientific (therefore more and more successful) measures are used for the prevention of pestilence and disease, and so forth, he differs also from the lower animals in having his passions not as instincts only (though they are that with him, as with all other animals), but under the control of reason. On the one hand, human reason has diminished, and is still further diminishing the action of those causes which correct the unduly rapid growth of population; on the other hand, human reason possesses (though hitherto it has not in the aggregate very fully used, or even absolutely recognized the full right to use) the power of preventing such unduly rapid growth. We may well hope that before the time comes when excessive population, for which no remedy can be found in emigration, threatens the great world-nation of the future, men will widely and clearly have recognized the duty of regulating, either by legal or individual restraints, the responsibilities of parentage. Many who differ from Mr. J. S. Mill, in considering that our present notions of liberty in this respect are "misplaced," in so far as they "prevent legal obligations from being imposed in this matter," must agree with him in recognizing moral obligations. As he well remarks, "the fact itself of causing the existence of a human being is one of the most responsible actions in the range of human life. To undertake this responsibility,—to bestow a life which may be either a curse or a blessing,—unless the being on whom it is to be bestowed will have at least the ordinary chances of a desirable existence, is a crime against that being; and in a country either over-peopled or threatened with being so, to produce children beyond a very small number, with the effect of reducing the reward of labor by their competition, is a very serious offense against all who live by the remuneration of their labor." I cannot myself agree with Mill in what he adds, that "the laws which, in many countries on the Continent, forbid marriage unless the parties can show that they have the means of supporting a family, do not exceed the legitimate powers of the state." I think they go far beyond any desirable interference on the part of the state with individual freedom of action, and that a people which would be the better for such interference, so far as material advantages are concerned, must be so degraded

that the sooner they pass away or are absorbed by worthier races, the better for the world. I definitely and earnestly reject his doctrine that, "whether such laws be expedient or not, they are not objectionable as violations of liberty." It appears to me that if laws of that kind were permissible at all, the state might far more reasonably "forbid marriage unless the parties can show that," according to recognized laws of heredity, their offspring are reasonably likely to be strong, able, and worthy members of the body politic. But the vice of Mill's reasoning here, as in much of his writing on such matters, is the assumption that the state can advantageously undertake the duties which belong especially to individuals,—the persons who would have to supervise such matters being unlikely, on the average, to take greater care in the matter than those over whose conduct they would be appointed to watch. In a nation where the majority "cared for none of these things," the state could do nothing with advantage or without mischievous violations of liberty; where, on the other hand, the majority took as just a view on this subject as on more familiar moral obligations, state interference would be unnecessary.

Apart from the influence of moral restraints such as these, we should be compelled, by the evidence alike of antiquity and of our own age, to teach a doctrine precisely the reverse of that advanced by writers who measure progress by the rate of increase of population. "There is one mode," says Mr. Greg, in his "Enigmas of Life," "in which the amount of human existence sustainable on a given area, and, therefore, throughout the chief portion of the habitable globe, may be almost indefinitely increased—*i. e.*, by a substitution of vegetable for animal food. A given acreage of wheat will feed at least ten times as many men as the same acreage employed in growing mutton. It is usually calculated that the consumption of wheat by an adult is about one quarter per annum, and we know that good land produces four quarters. Let us even assume that a man living on grain would require two quarters a year; still, one acre would support two men. But a man living on meat would need three pounds a day, and it is considered a liberal calculation if an acre spent in grazing sheep and cattle yields in mutton or beef more than fifty pounds on an average—the best farmer in Norfolk having averaged ninety pounds; but a great majority of farmers in Great Britain only reach twenty pounds. On these data it would

require twenty-two acres of pasture land to sustain one adult person living on meat. It is obvious that, in view of the adoption of vegetable diet, there lies the indication of a vast possible increase in the population sustainable on a given area."

Here, the question whether increase in the density of population (equally well sustained by food) is an unmixed good is not considered. Life may be more cheaply supported by such a change as Mr. Greg suggests; but if the life so supported is found to be cheaper — that is, more cheaply valued — more life may mean more misery. "Man does not live by bread alone," is true doctrine here. If the extra lives are looked on only for what they may be worth to the capitalist, or as so much food for the man of oppression, or to be consumed in war, it is worse than useless thus thoughtfully to provide for their mere existence. We have seen that in every case known, cheap food and resulting increase of population have meant such diversities in the social strata as must result, earlier or later, in destruction by displacements and upheavals within, or by inroads from without. If there be aught in modern civilization to save nations which become exposed to the same conditions and the same dangers as of old, it should be easy to point out where such safeguards lie. It would not be difficult to show, however, that just so far as modern nations approach, either in whole or in part, the conditions under which older nations perished, they show the signs of decrepitude and decay, which, unless checked, signify approaching dissolution. What does emigration mean but this? We look on complacently at this evidence of overpopulation and resulting destructive tendencies; but, as Dr. B. W. Richardson well remarks, "It is the fittest for work and for earning who leave our shores; the unfittest for work, the luxurious and the least powerful, remain. Thus the drain on the first processes of national permanent prosperity is that which is opened by emigration,— is that which is exhausting the heart of the commonwealth." And he offers as a remedy the cheapening of food, as if the best part of our general population left the shores of Britain solely because food is dear. They leave, not because food is dear, but because labor is cheap; and the cheaper the food the worse the evil will become, for labor will become cheaper too. When emigration becomes no longer possible, when this safety-valve is closed,— as it will be within a period very short, indeed, compared with the periods by which men

measure history,—the consequences observed among the nations of old may affect—on a wider scale—the civilization of the future. Room for more may be found by the cheapening of food,—that is, by the use of cheaper food,—and amiable enthusiasts may find here and thus a remedy for the threatened evils. They can at least show that at present even the most populous countries in the Old World are not over-peopled; for, undoubtedly, with due care, and with choice of the cheapest forms of food, twice as many per square mile might exist even in Belgium than at present. But those who consider the dignity of man, as well as his mere numbers on the globe—those who study the evidence afforded by the wide, though unconscious, experiments made by nations in past ages—will entertain a different idea as to the way in which the great life problem should be viewed. Mere increase of population—even though all be supported in health and vigor—is not all that the human race has to look forward to; it may be doubted whether it is worth hoping for in itself, under any conditions: but, assuredly, if along with such increase there should come, as of old, the degradation of the many under the tyranny and oppression of the few, the change which enthusiasts regard so hopefully is one most devoutly to be deprecated.

RICHARD A. PROCTOR.

THE DECLINE OF CLERICAL AUTHORITY.

THE decline of the authority of the clergy is one of the characteristic features of modern society. I include under authority not only the official prerogatives inhering in the ministry within the various organized bodies of Christians, but also the influence exercised beyond their borders upon political and social life. The fact that the power of the clergy is relatively less than it was in former days, and is on the wane, is indubitable. The diminution of clerical sway over sentiments, opinions, and conduct, in a community like New England, one might be tempted to explain by the exceptionally religious character of the first settlers, and by the circumstance that while, in the earlier period, in theory ministers were but little raised above the people, in practice there was conceded to them a precedence altogether above that which the accepted theory warranted. The phenomenon, however, to which I advert, of the reduction of clerical control and influence, is too marked and wide-spread to be accounted for by referring it to any accidents of this sort. The causes lie deeper. It may be suggested that in the largest of the Christian communities, the Roman Catholic Church, the alleged fact respecting the clergy is belied by events like the late Vatican decree, which asserted infallibility of a single priest. Nevertheless, on a closer examination we shall find that one of the most impressive illustrations of the reality of the change of which we are speaking is to be found in the history and present condition of the Church of Rome. Nor can a movement like that which took its name from an eminent theologian who has lately passed away avail to disprove the position that the clergy have lost their ascendency, and that a less exalted view of their functions and importance is rapidly gaining possession of the modern mind. The Oxford movement, of which Dr. Pusey was the nominal leader and Newman the inspiring genius, has produced a great effect in the

English Church; it created a party the most influential, perhaps, of the various parties within that body; and one of the points on which that party laid emphasis was the doctrine of a priesthood, with the correlated dogmas. But the Puseyite movement must be contemplated in connection with other and dissimilar phases and currents of opinion in England. Its force was, and is now, insufficient to counteract that general drift of sentiment and action which cannot fail to be discerned even by superficial observers of the times in which we live.

What are the causes of the downfall of the clergy,—if we may use so strong a term to designate the gradual falling away of their prerogatives and influence? The general cause,—the main cause, is not far to seek. It is the advance of the laity in intelligence. Time was when knowledge was mostly shut up within the ranks of the clergy. More and more, knowledge has been diffused. Intellectual activity, the spirit of inquiry, the habit of investigation, the acquisition of learning, including learning upon matters of religion, are spread abroad through society. Inseparably connected with this cause—a part and fruit of it—is the mortal blow inflicted at the Reformation upon the sacerdotal conception of the Christian ministry. The grand bulwark of the peculiar privileges of the clergy, and the source of an inordinate reverence accorded to them, was the belief, which for so many centuries had been deeply lodged in the minds of men, that the clergy were the possessors of a mystic grace, making them the exclusive almoners of Heaven's bounty, the channels through which divine forgiveness and divine help came down to the souls under their pastoral government; a mystic virtue, moreover, which the clergy had in their own keeping, and which no layman could impart. The Reformation, though led in the main by theologians and priests, was a great uprising of the laity. It involved a dethronement of the clergy. It was a grasping, by the lay element in Christian society, of the rights which had been given up by imperceptible degrees, in remote times, to their ecclesiastical superiors. The predominance of the laity—this was the significance of the Protestant Revolution. When Hildebrand, at the end of the eleventh century, began his conflict with Henry IV., his aim was to make the clergy independent and dominant in Europe, and to give them organization and unity by the pontifical sovereignty. On this high plane of priestly absolutism to which the Church had slowly climbed, it

maintained itself through the thirteenth century. It is remarkable that in the contest where the extravagant claims of the papacy were first successfully resisted, and when the dawn of a new era is dimly seen — an era which is to culminate in the Protestant rebellion — I refer to the conflict of Pope Boniface VIII. with Philip the Fair of France — the question of the rights of the laity over against the arrogant pretensions of the clergy distinctly emerged. Boniface, in the famous bull *clericis laicos*, bitterly complained that the laity from of old had been inimical to the clergy, and had labored to oppress them. The King of France, on the contrary, in his response, asserts that "Holy Mother Church, the spouse of Christ, is composed not only of clergy, but also of laymen;" that the liberty which Christ has brought in, He has willed "that not only clergymen, but laymen, should enjoy." We seem to hear in these phrases the low murmur of that thunder which grew louder and louder until, two centuries later, it shook the earth and the sky. The antagonists of Boniface did not dream of calling in question the sacerdotal function of the ministry. All men, with, possibly, the occasional exception of a daring spirit, like the Emperor Frederick II., stood in dread of that awful prerogative of binding and loosing which the clergy were conceived to hold exclusively in their hands. But the laity were lifting their heads. The wielding of secular rule by the priesthood awakened an indignant opposition even in mediæval days, and from Catholics as loyal and devout as Dante. The national spirit was more and more awakened. Commerce sprang up. The wits of men were sharpened by trade and diversified industry. New and complex interests arose to counteract or qualify ecclesiastical motives and feeling. There came an awakening of the intellect, a revival of learning, an eager study of the Bible and of Christian antiquity, new discoveries, new arts and inventions. The domination of the clergy was ready to be broken.

In the beginning of August, 1520, after the posting of the Theses, but before the Diet of Worms, Luther published his "Harangue to the Noblesse of the German Nation." In this cogent and fiery appeal he laid the ax at the root of sacerdotalism. "We have one baptism and one faith," he says, "and it is that which constitutes a spiritual person." The Church he compares to ten sons of a king, who choose one of their num-

ber to be the minister of their common power. A company of pious laymen, left by themselves in a desert, he declares, may make a priest of one of their own number, and "the man so chosen would be as truly a priest as if all the bishops in the world had consecrated him." This proclamation of the universal priesthood of Christian believers was the watchword of the Reformation in all the lands where it took root or was preached. It was not less the doctrine of the Protestant subjects of Elizabeth than of the followers of Luther, Zwingli, and Calvin. With the reception of this doctrine, the idea of the peculiar sanctity of the clergy, the incommunicable virtue which elevated them above the flock, and made the priest a higher order of being than the layman, passed away. The habit of mind which the sacerdotal theory had bred among the people, in the long centuries in which it had reigned, could not be dissipated in a moment. But the impressions of extraordinary reverence and awe before the clergy must disappear in proportion as the new view of their office, as being purely ministerial, bore its appropriate fruits.

In the churches established at the Reformation, the laity ruled. They were national churches. They were subject to the civil magistrate. Ecclesiastical affairs, in the cities where Protestantism was introduced, as Zurich and Strasburg, in the kingdoms, as Denmark and Sweden, in principalities, as Hesse and Saxony, were ordered by the civil authority, taking counsel with the ministers and theologians. Political changes of great moment followed in the train of the ecclesiastical revolution. The administration of justice, so far as it had been in the hands of the Church, was assigned to the State. In the middle ages the Church had claimed the right to adjudicate in its own courts all causes purely spiritual—such as pertained to orthodoxy of doctrine, rites and ceremonies of worship, etc.; also, all causes dependent on the spiritual province, or closely allied to it, as matters affecting matrimony, wills, oaths, burials, etc. The Church had claimed the privilege of interfering with civil tribunals in cases where ecclesiastical rights were conceived to be invaded, and of interfering when the demands of justice were in danger of being defeated. The Reformation involved the relinquishment of these claims. Luther himself recommended that even cases relating to marriage and divorce should be left to the civil courts. But the advice and aid of doctors of the-

ology were thought requisite. The Lutheran consistories were mixed bodies, composed partly of clergymen and partly of laymen, and were at first constituted for the purpose of taking cognizance of matrimonial causes. The canon law, that vast system of ecclesiastical jurisprudence which had been the growth of ages, has exerted a great and wholesome influence upon modern legal codes, but it is itself a thing of the past. It has disappeared with the tribunals whose special prerogative it was to administer it. The tendency and effect of the Reformation, from the first, was to limit the function of the clergy to their purely spiritual offices, and to concentrate all legislative and judicial authority in the secular magistracy. A great portion of the enormous wealth which was in the hands of ecclesiastics was taken by the State, and was applied in great part to other than its original uses. In Scotland, one-half of the property of the kingdom had been gathered into the possession of the Church. In Scotland, in Sweden, and in other countries into which Protestantism was introduced, the distribution of this property among nobles served to bind this class to the new religious system, and coöperated with more laudable motives in giving it stability. In no country did the domination of the laity become more complete than in England. The retention of the Episcopal polity, as bearing on this point, is a fact of no moment. Episcopacy was kept up in England, because the bishops either went, or were driven, in the path marked out by Henry VIII. Episcopacy would have been retained in Germany, if the bishops had embraced the doctrine of Luther, and if the nation, as was the case in England, had been carried forward as a unit in the new direction. Episcopal government has no necessary connection with sacerdotalism; and in the age of Elizabeth, the idea generally held by English Protestants respecting the office and power of a minister was not different from that entertained by their brethren on the continent. After the fall of Wolsey, the clergy were brought into abject submission by Henry VIII.: the sovereigns of England became the rulers of church and state. They appointed ecclesiastical as well as lay officers, and dismissed them at their pleasure. As kingly power declined, supreme authority in the affairs of the Church passed over to Parliament. This control Parliament has never for a moment relinquished. In the days of the Commonwealth, when Presby-

terianism was in the ascendant, Parliament refused to surrender its supreme control in church affairs to any "General Assembly," such as existed in Scotland. The Church of England has no corporate existence and no representative assembly capable of acting independently of the State. Neither convocation is possessed of either legislative or judicial powers. The ecclesiastical tribunals are chiefly composed of lay officers, and the Supreme Court of Appeal is the Judicial Committee of the Privy Council. "From the time of the Reformation, no change has been made in the law of the Church, which has not been made by the king and Parliament, sometimes indirectly, as by confirming the resolutions of convocation, but for the most part by statute." Convocation can assemble only in obedience to the king's writ; when assembled, it can make no new canons without a royal license, in addition to the permission to assemble; no canons which it agrees upon have any validity, nor can they be published, until they are confirmed by the sovereign; and even this ratification is void if they are at variance with the laws and customs of the land or the royal prerogatives. On this point the judicial tribunals are the sole judge. Every attempt of the clergy to withstand the ordinances of the magistrate has resulted in a complete and generally humiliating failure. The bishops were retained in the House of Lords, but the expulsion of the mitred abbots by Henry VIII. reduced them to a powerless minority. It belongs to the bishops to ordain; but the bishops themselves are appointed by the crown. It strikes one as a very strange and anomalous kind of polity which allows the bishops and other high officers of a church to be appointed by a minister of the crown,—it may be a man, like Lord Palmerston, reputed profligate in his habits. But this method of appointment is simply a conspicuous instance of that control of the laity in church affairs which the Reformation brought in. "Kings and princes," Melanchthon said, "are the eminent members of the Church,—*præcipua membra ecclesiæ*,—and to them, therefore, belongs the lead in the management of ecclesiastical concerns. The king's supremacy in the Church meant the establishment of lay rule. If Lord Palmerston had the privilege of appointing a group of chief pastors in the Church of England, or of determining who they should be, it must be remembered that Lord Palmerston was the representative of crown and Parliament. Parliament gave him his office, and could take it away; and Parliament,

that body of laymen, are the supreme governing body in the realm of England, which is inclusive of Church and State. In no country has the Church a less degree of autonomy; in no country have the clergy less power of independent action than in England. The renunciation of the See of Rome, as there is hardly need to remind the reader, was attended in England, as elsewhere, by the seizure of a vast amount of ecclesiastical property, in the disposal of which the civil authority assumed exclusive jurisdiction.

If disestablishment should take place, and the Church of England should acquire an autonomy distinct from that of the State, subjection to the civil authority, in the form in which it now exists, would cease. It would remain to be seen, however, whether the clergy would even then be dominant. The laity, deprived of that ecclesiastical influence and control which they now possess under the establishment, would be likely, in the newly constituted English Episcopal Church, to demand power; and if they made the demand, it would have to be conceded. It is doubtful, therefore, in case the Anglican Church were to become one of the denominations, having no special privileges under the State, and subject to no special control at the hands of the secular power, whether the clergy would secure any permanent sway within its borders. Under the Stuarts, the sacerdotal theory of the ministry, and with it the doctrine of the divine right of episcopacy, took root in the English Church. At different times, these doctrines have been insisted on with renewed zeal, as in the Tractarian movement to which reference has been made. Of course, they tend to the exaltation of the clergy in the estimation of those by whom such tenets are embraced. But sacerdotalism, in these forms, has always had to confront vigorous resistance in the Anglican body. It has done more than anything else to swell the ranks of Nonconformists, among whom are included not far from one-half of the people of England who manifest an interest in religion. When we are speaking of the sacerdotal theory, and of the number of its adherents, notice must be taken of the great Methodist secession. The most important religious movement of the last century was the Wesleyan Reformation. The separation of the Methodists from the Church of England was accomplished by a revolt of their leader against Anglican sacerdotalism. John Wesley, after long hesitation, took the step of ordaining superintendents

for his societies in America. He had to encounter, from beginning to end, the strenuous opposition of his brother, the Melanchthon of the Methodist Reform, who lacked the boldness and energy of its principal author. John Wesley had no desire for separation; to the day of his death he never admitted that he had broken away from the Church of England. But he had convinced himself, by reading Stillingfleet's "Irenicum," that presbyter and bishop were originally identical, and he would not be kept back by scruples of sentiment from carrying forward by all necessary means the work in which he had embarked. The result of his proceedings in ordaining ministers for foreign parts, and in putting his chapels under the protection of the toleration law, in conjunction with the act of the conference in 1795, authorizing the Wesleyan preachers in England to administer the sacraments, was to transfer the Methodist body to the ranks of dissent. This important event in the history of English Christianity was rendered possible only by the abandonment by leaders and followers of an essential part of the sacerdotal conception of the ministry. The Methodists in England now include in their churches several hundred thousand communicants, and are found in large numbers in all English-speaking lands.

Another fact indicative of the decline and prospective disappearance of sacerdotalism in the English Church is the present attitude of theological and historical scholars on the question of the constitution and belief of the Primitive Church. The Protestant scholarship of the continent long ago arrived at the conclusion that the conception of the ministry as a priesthood did not exist in the Church of the second century. It is only in the Anglican Church, and by a party in that church, that the opposite opinion has been defended. At the present time the ripest and most authoritative scholarship of the English Church is at one with Continental scholars on this point. Whoever will take the trouble to consult the "Essay on the Christian Ministry," by Dr. Lightfoot, the present Bishop of Durham, and the Bampton Lectures of Mr. Edwin Hatch, the Vice-Principal of St. Mary's Hall, on "The Organization of the Early Christian Churches," together with the articles by the same author in Smith's recently published "Dictionary of Christian Antiquities," will clearly see what verdict the learning of the Anglican body is now pronouncing on this question. Historical study, conducted on the scientific method, without sectarian bias, will speedily set aside

sacerdotalism so far as it leans for support on the authority and example of the Early Church. It is now apparent to what extent the Early Churches copied in their organization the models of political society and of private associations in the midst of which they were planted. Offices which have been thought to involve a mystic and inexplicable sanctity are found to have been instituted after the example of Græco-Roman municipal and provincial government, and with no other idea connected with them except a regard to public order and convenience. Church rule shaped itself after the models afforded by the synagogue eldership and by city councils and archons.

One of the most obvious of the signs and sources of the diminished sway of the clergy in modern times is the independent development of philosophy and culture which is characteristic of the present era of civilization. In the middle ages the clergy were the intelligent and trained class. Learning, so far as it existed, was mainly theological. The knowledge of letters had to be imparted by the clerical order. They were the teachers. They organized and conducted universities and schools. They decided what should be taught and what should not be taught. Philosophy was ancillary to theology—a buttress of the creed and of the church. The clergy, in the middle ages, with all their faults and errors, did a noble work in the training of the European peoples, both as to intellect and character. But the advance and diffusion of knowledge emancipated the human mind from this dependence on the clergy, and widened to a wonderful extent the range of intellectual activity. With Descartes, philosophy delivered itself from its thralldom, and, refusing longer to borrow its dogmas from abroad, undertook to build itself up on its own proper foundations. A new era in literary production and culture arose at the epoch when the heat of the conflicts engendered by the Reformation had begun to subside. In England, to be sure, under Elizabeth, all through the time when Protestantism was waging its battle, the spirit of the Renaissance was in full vigor, as we see in Shakespeare and in the other English writers of that age. The Germans waited until the middle of the last century for the new period of literary activity—for the beginning of the age of Lessing, and Herder, and Goethe, and Schiller—a literary activity, it need not be said, in its sources and spirit, independent of ecclesiastical regulation. The study of the natural and physical sciences, which

is pursued with so much ardor in all Christian countries, is carried forward in entire freedom from the prescriptions of ecclesiastical authority.

It would be vain to deny that in modern science and culture the influence of religious scepticism is frequently obvious. It is an equal mistake to affirm, however, that they are the offspring of rationalism, or stand at irreconcilable variance with the Christian faith. The transition from an ecclesiastical to a non-ecclesiastical type of society is not to be confounded with a lapse from Christian belief into infidelity, whatever influence infidelity may temporarily possess upon certain eminent representatives of science and literature. With the decline of ecclesiasticism, the ethical element in Christianity has lost none of its vigor. The process of leavening popular instruction, legislation, international relations, personal conduct, domestic ties, literature and art, with the spirit of Christ, has gone forward in a widening circle, and with new and unexampled efficiency. The influence of Christianity is not at all to be measured by the definite work done by the institution which exists for the propagation of Christian truth. The results of the Gospel are not so technical or tangible; they extend beyond ecclesiastical boundaries; they pervade Christian society.

If we turn our attention to the United States, the progress of society in New England presents, in connection with our subject, one of the most engaging objects of study. In the early settlements, the one hundred ministers who had been trained in the English universities were the controlling power. The ministry, far into the eighteenth century, maintained their predominance in the community. The height of the pulpits from which they preached on the Lord's Day is a symbol of the elevation conceded to them by the general sentiment of the people. Along with the discussions which paved the way for the Revolution, the lawyers rose to share in the influence wielded by the clergy. Physicians, from their college-training and from the character of their occupation, were esteemed as next in importance. "Professional men," in the larger towns and smaller villages, had the authority of a learned class. Side by side with these teachers and guides, or, if not on their level, on a plane not far below them, "merchants" took their position. They were distinguished from the farmers, who made up the bulk of the population, and were frequently placed a notch above them. The prog-

ress of religious dissent and division, the spread of democratic ideas and feelings, and the diffusion of education, at length broke up the connection which had subsisted between the State and the Church, under which Congregationalism in New England had enjoyed the special favor and support of the civil authority, and the Congregational parish had been hedged in by the safeguards of law. With the growth of manufactures, the rise of large towns, the increased cultivation of the community at large, and the prevalence of the secular in contrast with the ecclesiastical and religious spirit, the predominance of the clergy has passed away. One peculiar source of this decline has been the brevity of the usual term of a pastorate, so in contrast with its life-long duration in the old time. Another agency, not to be ignored, is the power in church affairs which is silently allowed to the rich. It is tacitly assumed too frequently that they who own the pews, if they do not own the minister, have the right to dictate his utterances,—at least on all matters not directly pertaining to religious dogmas. Cases are not innumerous where the heavy contributors, even if few in number, expect, and are permitted, to override the preferences of the major part of the communicants. Attendance upon worship is not compulsory, as it was in early Puritan times. It is not a necessary condition of respectable social standing, as it was for a long period afterward. It is plain to all penetrating observers that the multiplying of sects, and the public exhibition of sectarian differences, which are conspicuous features of American Christianity, weaken the influence of the clergy beyond the bounds of the particular bodies to which they are severally attached. The clergy as a class, outside of the Roman Catholic Church — unless we should except the Methodists—hardly count as a distinct, appreciable force in the calculations of parties and of aspirants for public office.

Those who imagine that the decline of clerical authority is merely a part and parcel of Protestantism will be disabused of this erroneous impression, by taking a glance at Italy. The principality which the Popes have ruled for a thousand years, and the possession of which they assert to be essential to the proper discharge of their spiritual office, has been wrested from them by a Catholic sovereign, with the nation — a nation of Catholics — at his back. Protests and anathemas from the side of the papacy have proved of no avail. Nationalism has triumphed

over ecclesiasticism in Italy, as it triumphed in England and Germany, and, afterward, in Catholic France. In France, at the beginning of the Revolution, one-third of the real property of the kingdom was possessed by the Church. This property long ago passed into the possession of the State, and by the State the stipends of all priests are fixed and paid. The same sequestration of church property which took place in the Protestant countries, and afterward in France, has been repeated on a grand scale in the new Italian kingdom. The total value of the real property thus confiscated in defiance of the Pope and the clergy, prior to 1878, was valued at 839,776,076 lire, nearly $168,000,000, the aggregate revenue of which was 30,969,465 lire, upwards of $6,000,000. This revenue constitutes the *Fondo pel Culto*, or public worship fund, administered by a director and council of civilians. The Italian Government, it should be said, has made a more just and benevolent use of the property thus obtained than Henry VIII., or the Lords of the Congregation in Scotland, at the Reformation.

The supremacy exercised by lay authority in Catholic countries, in matters once under the jurisdiction of the priesthood, is evinced in a striking way in reference to the great subjects of education and marriage. In France, the whole system of public education, from the primary schools upward, is managed by a department of the Government. If other institutions of learning than those constituted and supported by the State exist, they must submit to such regulations, as to the *personnel* of teachers, the conferring of degrees, etc., as the State chooses to impose. Education is to this extent secularized. In Italy, education likewise is under the control of a department of the Government, although the administration of it is not centralized to the same degree as in France. The schools, as a rule, are managed by the communes, subject to the general regulations determined by the central authority. If other schools are established by the Pope, it must be at his own expense. In the curriculum of the national universities theology is omitted. To one who appreciates the persistency with which the priesthood of the Church of Rome have laid claim to the management of the education of the young, it will be clear how great a change in the relative position of the clergy is implied in the transfer of this responsibility to the State which has taken place in Italy and France, and which will be, if it is not already,

fully consummated in the other Catholic nations, including even Spain.

The other great loss of prerogative to which I have adverted relates to marriage. Marriage in the Roman Catholic creed is a sacrament. It involves the communication and reception of a mystic grace, and requires the agency of a priest. The control over marriage thus inhering in the clergy has been one of their most remarkable and most resolutely guarded prerogatives. Against the allowance of marriage by the civil contract alone, the voice of the clergy has been continually lifted in indignant protest. Yet, in the face of their vehement, persevering opposition, the validity of marriage by the civil contract is recognized and decreed, not only in Belgium and in France, but even in Italy, under the eyes of the Pope. In short, one sees in the civilized Catholic countries the very same political and social changes which distinguish the Protestant type of civil and social life, accomplished and carried out in spite of all efforts to the contrary made by the spiritual order. The governments of the Catholic countries stand by, or make but a feeble opposition, when dogmas that exalt the Pope, like the Vatican decree, or that magnify the exclusively spiritual side of the priestly office, are proclaimed. But they resist with an inflexible will any practical interference in matters directly affecting society in its mundane relations. The nations seem to say to the priesthood: "Frame what dogmas you choose, fulminate your anathemas, but take care to abstain from interfering in these great matters of social concern and civil obligation; here the clergyman is only a citizen; he cannot dictate law; he must obey the law which lay society judges to accord with the public interest and with the demands of modern civilization." This policy of statesmen and governments in Roman Catholic countries is not to be considered the mere offspring of infidelity. No doubt, among the cultivated classes of France and Southern Europe, there is a wide-spread scepticism as to the general authority of the priesthood, and even as to the truth of Christianity. But it cannot be questioned that large numbers who have not yielded to any great extent to the spirit of doubt on fundamental questions of religion are strenuous to restrict the power of the clergy, and to vindicate for the civil authority full control in important provinces once acknowledged to be subject to clerical rule. Notwithstanding the difference between Catholic and Protestant communities

in the interpretation of the Gospel, notwithstanding their differences of creed and of rite, there is a type of civilization, there is a conception of civil order, which belongs to them in common. This form of civilization includes an elevation of the civil authority, an extension of the rule of the laity, a corresponding abridgment of the prerogatives of the clergy, which are not peculiar to Protestant countries, but more and more command the sympathy and shape the polity of the Catholic nations.

It would be an unwarranted inference from the foregoing remarks, if one were to judge that the proper function of the Christian ministry is likely to cease, or their legitimate agency to become insignificant. On the contrary, the relinquishment of attributes which they ought not to exercise, to which they have no peculiar claim, may be for their own advantage, and may serve to augment their rightful influence.

In the first place, there is among men what may be termed a natural priesthood. Under Christianity, and in Christian churches, there will continually arise individuals who have the spiritual qualifications of a priest. They possess, in their own soul's experience, the secret of the Gospel. They make a nearer approach to God than their fellows. To those who have not climbed to this height, gained this insight, partaken of this lofty communion, they serve as mediators and helpers. Claiming no extraordinary prerogatives above their brethren, they prove their calling by the influence that goes forth from them and attends their words. Their ordination or consecration is the public recognition of a sacred gift of God imparted to them. They somehow are able to open the eyes of the blind. They awaken a discernment, they communicate a spirit, which constitute a real and sufficient title to be considered, though in no technical sense, priests of God.

Something of this priestly endowment may be found in men without marked ability of an intellectual sort. It is often thought to be difficult to account for the success of an itinerant preacher like Mr. Moody. Not possessing a very fertile intellect, with neither a very large stock of ideas nor a very large store of knowledge, deficient in a measure, it may be, in broad and just views of the Christian life, without the glowing imagination which fascinates the listener, such a man is still found to draw about him multitudes of men who hang on his words. It

is not through tricks and meretricious arts such as give notoriety to the "sensational" preacher. The source of success, in a case like that which we are supposing, is mainly in the conviction that the preacher tells what he knows—knows in the way of insight and inward realization. He calls men to see what he sees himself; to take the peace which consoles his own heart. There is a living priesthood which will never pass away so long as the instinctive sense of religion, and the wants and aspirations which it awakens, shall remain.

Then, secondly, there is a distinct gift of teaching, a gift of a more intellectual cast. There is a power of elucidating truth relating to religion, of inculcating it by reasoning and persuasion, of defending it against objections, which will never cease to have its value. When this power is combined with an admixture of devout emotion, there will be no lack of attentive ears. We may be certain that no accumulation of books, no multiplying of journals, no increased facilities in getting knowledge or stimulus from other sources, will ever do away with the charm of genuine eloquence. The living voice of a preacher whose mind is inspired with vivid perceptions of truth relating to life, death, and immortality, and who utters it with the accents of conviction, will not want for hearers. Literature will no more supersede public speaking than it will put an end to conversation.

Then, there is a gift of governing, a capacity given by nature, and developed by the experience of life, of acting as a guide and leader in an organized ecclesiastical body. The distinctively pastoral function will not lose its importance so long as there are communities of Christians to be guided, and to be trained from childhood in Christian ways.

The fear that, with the vanishing of sacerdotalism, the value and importance of the Christian ministry will be lost, may be dispelled by the reflection that this change is simply a return to the primitive condition of the Church. The sacerdotal theory is first broached by Tertullian at the end of the second century. It is not held uniformly or consistently by him. It was not until half a century later that, under the auspices of men like Cyprian, this idea, borrowed from the analogies of the Old Testament system, took deep root in the mind of the Church. The primitive presbyters and bishops were laymen, acting as organs of the congregation, teaching and exercising rule because

they were deemed by their brethren to be qualified to do so. Episcopacy in the second century was governmental, not sacerdotal. Yet the clergy of the second century were held in sufficiently high esteem by the flocks over which they presided. Christianity will lose nothing, and the ministry themselves will lose nothing, by returning to the primitive conception of the clerical office. When this retrogression has been fairly made, the disputes about church organization and grades of the ministry will be vastly simplified, and may be adjusted with comparative ease. They will be settled on broad grounds of expediency, in the light of experience, and of the general principles at the foundation of all ecclesiastical association, as they are set forth in the New Testament.

GEORGE P. FISHER.

SUCCESS ON THE STAGE.

MR. McCULLOUGH.

TO UNDERTAKE to say what are all the requisites to success as a tragedian would be rash for any one individual—certainly for me. Success itself may be variously estimated; but, assuming the success meant to be artistic, it should not be difficult to indicate some of its conditions. Among these are health and fair personal appearance. Flexibility of feature and grace of movement are in a high degree desirable, and both are susceptible of being in a greater or less degree acquired and cultivated. Beyond these there must be strong intelligence,—the capacity to learn. It need not be necessarily a quick intelligence, but it must have the power to grasp and hold the meaning of the writers of great plays. Doubtless, these are things which anybody could say, but none the less they lie at the bottom of the art and must be stated.

But, given these, two things further are imperatively essential: first, what may be summed up in the one word, heart—the capacity to feel lofty emotions, and to make others feel them; and, second, industry. It is difficult to state in terms what is meant by the word heart. It doubtless is the same that some mean when they say genius, and others when they say magnetism. There are those who can feel all the emotions of great dramatic characters, but lack the capacity of translating them to others, and those who, with all the physical and mental requisites for such translation, are always cold and unaffecting, as artists, because they cannot apprehend emotionally as well as intellectually. If it be asked how one is to know whether this gift is possessed or not, the answer must be that the only possible evidence, in advance of trial, is purely internal. If it exist, its possessor can scarcely be wholly unconscious of the fact, though he may never put it into practical exercise. If it is not born with the man, it can never be acquired.

This, then, may be held to be the primal necessity: the possession, by right of birth, of more or less—and the more the better—of this magnetism, genius, dramatic instinct, capacity to feel and to make others feel, call it what you will. It is indescribable in words, but it is not unrecognizable.

But, added to this, there must be that second requisite, of equal necessity, if not of equal dignity,—untiring industry. The young man who expects to find "a royal road" to eminence in the dramatic profession, who expects to get on without unremitting labor, patient study, and, so far as the frivolities and dissipations of life and society go, unrelenting self-denial, will inevitably be bitterly disappointed. There are no exceptions to this iron rule. There is not an eminent actor on the stage who cannot look back to years when the hours which, to many of his companions, were hours of leisure and jollity, were to him hours of hard, patient, often apparently fruitless, study. Probably every one of them also can recall companions who started in the race, with every advantage of health, strength, voice, manly beauty, intelligence, and dramatic instinct, who have long been distanced, solely from a lack of this capacity for patient industry. The stage is full, to-day, of men of fair intelligence who cannot, or, at least, do not, succeed even in small parts, because they do not bend all the energy of an earnest purpose to understanding the meaning of the lines they speak. It is a grievous mistake to think the actor's life an easy one, eminence aside; and it is a far more grievous mistake to fancy that the grace and beauty of Apollo and the genius of Roscius—all the divine gifts that could be concentrated in one man—can win histrionic greatness without hard, close, painful work. And yet, to him who is imbued with a genuine love of the art, that art is, in itself, ample compensation for all the labor and the pain.

It is usually considered advisable to enter the profession at an early age, probably seventeen or eighteen years, and it is true that many of the most successful actors may be said to have grown up on the stage. Doubtless it is well to begin early, but it is also important that the beginner should first lay broad and deep the foundations of general intellectual culture, and neglect no subsequent opportunity for widening and deepening his mental grasp. The art of the actor, of the tragedian especially, touches all the many sides of life, and every department of human knowledge contributes to its truth and power. As to place of begin-

ning, the best is, of course, where the best examples of the art are to be seen, and that is in the large cities. But whether there or elsewhere, the first step to be taken is to learn thoroughly the routine of the stage,—to enter, to cross, to leave, etc.,—so that this may all be done, as it were, unconsciously, leaving the intelligence free to grapple with the intellectual and emotional requirements of each part.

Methods of cultivating voice, look, and gesture are almost as various as the peculiarities of men, but care should be taken never to push either to straining or excess. It is an exceedingly difficult thing even to stand quietly on the stage, and there is an almost universal tendency in young actors to over-gesticulation. It has been well said that "the master spell of power is calmness," and it should be a constant aim to cultivate that dignified repose of manner which is in itself commanding, which is always suggestive of reserved power, and which contributes so forcibly by contrast to make a climax of passion striking and effective. A dead level of vehemence is as dreary, to say the least, as one of dullness. It is only through the cultivation of this repose and self-command that the mind is left free to elaborate the niceties of detail, the apparently involuntary shades of look and movement and attitude, the subtleties of by-play, all those little things, the easy and graceful observance of which puts the last high finish on the actor's art.

The "traditions of the stage" are a body of rules containing much that is true and artistic, and not a little that is false and artificial. No actor who hopes for eminence can afford wholly to disregard or despise them, and as little can he afford to be rigidly bound by them. It is the prerogative of greatness in all walks of life to break down traditions often, to show by daring departure from them wherein the old ideals were false, and to create the new and true. But it must not be therefore assumed that merely to depart from tradition is always to be great. The true course for the aspirant would seem to be to learn first all that traditions enjoin, and then bend all the force of fine intelligence and genuine feeling to the task of evolving something which, in the light of all past experience, and the scrutiny of study and reflection, shall be better than the old. Original conception grafted upon knowledge of the past is the true method of evolution in stage art.

If, now, what has been said of the capacity to feel and to make others feel be recalled, it will be seen how it acts

supremely through the methods just indicated. It is safe to say that no man can ever be a great exponent of emotions which he cannot feel. Without transfusing his work with the fierce light of genuine feeling in himself, the actor may be perfect in his methods, but he will be cold and merely artificial—he can never compass any supreme and god-like moments when his auditors are swept away in the tempest of his passion. Feeling,—inspiration some may call it,—there must be, but it should be governed in its methods of expression by the cultivated intelligence and the trained physical resources. Tears, for example, are moving and effective, but to make grotesque faces, to snivel and blow the nose, is not dignified, and provokes ridicule. Tears may fall on the stage, but the trained art must see to it that their trivial and ludicrous attendants are eliminated. It follows from this view, as a necessary corollary, that playing a given part in precisely the same way on every occasion is impossible to the really great artist. No man is always in precisely the same mood. When his nerves are wrongly strung, from any cause, his training in the technics of his art will save him from failure; but he cannot be always at his best, and hence exact precision on all occasions may be held to be conclusive evidence of artificiality.

Finally, let it be added, in the dramatic profession, as in others, "there is always room at the top," and just now there is room in all positions which call for intellectual force. The chances of success in this country were never greater than they are now. Americans are pronounced lovers of the drama. Theaters and theatrical organizations have multiplied and are multiplying all over the land. The social and general standing of theatrical people, in the higher walks of the profession especially, has vastly advanced, and the advance continues. The demand for intelligent actors is urgent and increasing. The too common notion that corrupt practices are necessary to advancement is utterly baseless. No scheming of managers—if such there be—or cabals of enemies or friends, can long avail to suppress the merit that comes of hard work grafted upon natural fitness, or long sustain in high place one artistically unequal to the station he occupies. And there is no other walk in life where the rewards of good work, both in pecuniary recompense and in public recognition, are so quick, so large, and so sure.

JOHN MCCULLOUGH.

MADAME MODJESKA.

I THINK that success, in the usual meaning of the word, ought not to be the chief ambition of the dramatic candidate. His aim should be higher; his great object should be to be true to his art, whether such fidelity be rewarded by appreciation from the public or not. "*Fais ce que dois, advienne que pourra,*" must be his motto. Success is not always the best evidence of artistic merit. How many good actors have remained all their lives in obscurity, and, on the other hand, how many indifferent ones have obtained a certain kind of popularity. Above everything, an artist ought never to sacrifice his own artistic convictions to the momentary tastes of the public; such a sacrifice, although followed by a short-lived success, will lower him as an artist, and kill in him whatever there may be of natural ability.

The actor, like the poet or the painter, must be born with a certain amount of native talent, which, if neglected, may disappear, but, if cultivated thoroughly and rightly, will produce the desired results. I believe, however, that a person who is deprived of these natural gifts, and who possesses an average amount of intelligence, can, by careful and judicious training, acquire a certain amount of technical knowledge, or what I would call the handicraft of the profession, so as to fill, respectably, minor parts on the stage, and not be out of place in what is called a good *ensemble.*

But I cannot believe that a person not possessing those natural gifts has ever acquired by study the "creative power" which is the distinctive mark of a true artist. With the actor, creative power implies the faculty of building up a character true to nature, and of endowing it with life, so as to produce the illusion that his personation is not a fiction, but a reality.

True, we have, in the annals of the stage, quite a number of instances of actors being unpromising at first and eventually becoming eminent. This does not prove that they did not possess the necessary talent, but simply shows that, for some reason or other, they were not able to display their ability. Possibly nervousness, want of experience, or injudicious choice of parts deprived them for a time of their power; while later on, experience, good advice, or some fortunate circumstance allowed them to bring to the surface what was concealed within. In a word, then, the first essential qualification for an actor consists in an

inborn talent, the character of which might possibly be described as an imaginative and assimilative faculty which allows him to merge his individuality into that of another.

The next essential is the constant study and work required to cultivate and improve the natural gifts. I never have seen genius succeed without labor, and I suppose that it is the inseparable quality of genius that it will never neglect activity in the special branch of science or art toward which it is inclined. Was it not Goethe who said that genius was always accompanied by an extraordinary ability to work, and that its peculiar character partly consisted of an instinctive knowledge how to work. But the happy possessor of genius has, intuitively, a deeper insight into the mysteries of art, which enables him to learn quickly, and which shows him the most direct path to follow. Besides, study and observation being congenial to him, his task appears easy, and his efforts are not strained. But, nevertheless, true genius could not exist with laziness and inactivity.

I do not think that the feeling of a special aptitude for acting should be much relied upon. Genius is generally unconscious of itself. I have generally observed that the most eminent artists were often the most diffident and unassuming, and that they passed frequently through periods of great discouragement. There are moments in the life of an artist when he may feel like Michel Angelo, exclaiming before his statue of Moses, "*Porché non parlai?*" But such moments are rare. How much more frequent are those when, feeling how far he is yet from the ideal that he tries to attain, he is tempted to throw away his brush, his chisel, or his stage-purple, and to give up the Herculean task?

The right frame of mind, I imagine, for one who enters upon a dramatic career must not consist so much in a feeling of confidence in his own powers as in a sincere devotion to his art, a firm belief in its high mission, while in his heart must burn that sacred flame which gives him the courage and energy to overcome all obstacles and undergo all privations. It is what we Catholics call "vocation."

It would be a great mistake to choose the profession with the idea that money comes easier and work is less hard in this than in any other. There is little hope for the advancement of such aspirants.

There is no greater mistake than to suppose that mere professional training is the only necessary education. The general cultivation of the mind, the development of all the intellectual faculties, the knowledge how to think, are more essential to the actor than mere professional instruction. In no case should he neglect the other branches of art; all of them being so nearly akin, he cannot attain to a fine artistic taste, if he is entirely unacquainted with music, the plastic arts, and poetry.

The best school of acting seems to me to be the stage itself—when one begins by playing small parts, and slowly, step by step, reaches the more important ones. There is a probability that if you play well a minor character, you will play greater ones well by and by; while if you begin with the latter, you may prove deficient in them, and afterward be both unwilling and unable to play small parts. It was my ill fortune to be put, soon after my entrance on the stage, in the position of star in a traveling company. I think it was the greatest danger I encountered in my career, and the consequence was that when I afterward entered a regular stock company, I had not only a great deal to learn, but much more to unlearn.

The training by acting, in order to be useful, requires a certain combination of circumstances. It is good in the stock companies of Europe, because with them the play-bill is constantly changed, and the young actor is required to appear in a great variety of characters during a short period. But it may prove the reverse of good in a theater where the beginner may be compelled for a year or so to play one insignificant part. Such a course would be likely to kill in him all the love of his art render him a mechanical automaton, and teach him but very little.

Private instruction can be given either by professors of elocution or by experienced actors. I know nothing of the first, as there are no professors of elocution, to my knowledge, outside of America and of England, and I never knew one personally. But speaking of private lessons given by experienced actors, there are certainly a great many arguments and instances in favor of that mode of instruction. Of course, a great deal depends upon the choice of the teacher. But, supposing he is capable, he can devote more time to a private pupil than he can to one in a public school. Some of the greatest actresses that ever lived owed, in great part, their success to the in-

structions of an experienced actor, of less genius than themselves. Take, for instance, Rachel and Samson. Strange to say, it happens often that very good actors make but poor professors, while the best private teacher I ever met was, like Michonnet, but an indifferent actor himself. The danger is that the pupil in this kind of instruction may become a mere imitator of his model. Imitation is the worst mode of learning, and the worst method in art, as it kills the individual creative power, and in most cases, the imitators only follow the peculiar failings of their model.

There are many objections to dramatic schools, some of which are very forcible. There is in them, as in private teaching, the danger of imitation, and of getting into a purely mechanical habit, which produces conventional, artificial acting. Yet it is not to be denied that a great number of the best French and German actresses and actors have been pupils of dramatic schools, and that two of the schools—those of Paris and Vienna—have justly enjoyed a great celebrity. Of the schools I have known personally I cannot speak very favorably. One point must be borne in mind; a dramatic school ought to have an independent financial basis, and not rely for its support on the number of its pupils, because in such a case the managers might be induced to receive candidates not in the least qualified for the dramatic profession.

Of the three elements that, in my opinion, go to make up a good dramatic artist, the first one, technique, must be acquired by professional training; the second and higher one, which is art itself, originates in a natural genius, but can and ought to be improved by the general cultivation of the mind. But there is yet something beyond these two: it is inspiration. This cannot be acquired or improved, but it can be lost by neglect. Inspiration, which Jefferson calls his demon, and which I would call my angel, does not depend upon us. Happy the moments when it responds to our appeal. It is only at such moments that an artist can feel satisfaction in his work—pride in his creation; and this feeling is the only real and true success which ought to be the object of his ambition.

HELENA MODJESKA.

MR. JEFFERSON.

IT is asked, What are the qualifications that one should possess to become a successful actor or actress? This is a difficult question to answer. What would be the reply of a scientist if you were to ask him what were the qualifications necessary to become a successful astronomer, or a great naturalist? I fancy I see the old gentleman now. He removes his spectacles, and, thoughtfully rubbing his nose, looks at the questioner as if he were a long way off. He says, "Well, really, I—I. Dear me, will you just say that over again?" You repeat the query. "Well," he says, "perhaps inborn ability may be of some service; and then, I should think that a great love, even a passion for such a calling, might be valuable; but even these advantages, and a great many more that I can't think of, will be of very little use unless they are joined to earnestness and industry."

Now, I would say that, in addition to these qualities, to make a successful actor, one must be gifted with sensibility, imagination, and personal magnetism. The art must be commenced at the foundation, or the superstructure can scarcely stand. The student should be content to enter upon the lower walks of the profession, and this is his first stumbling-block, because the lower positions are erroneously considered to be degrading. But, to "carry a banner" is necessary, and is certainly not degrading to a beginner in the art of acting. All professions require that the student shall master the drudgery of his calling. Before the astronomer makes his great discoveries, he must have learned arithmetic. The distinguished *savant* has mastered the elements of his specialty. The famous chemist tries the most simple experiments, and has not hesitated to soil his hands in the laboratory. This simple drudgery is the key to the dramatic profession, yet the thought of it affrights the tyro; and how natural that it should do so, for all the apparently degrading offices of other occupations are performed in private; but on the stage the personal mortification has to be borne in the full glare of the public, and, still worse, in the presence sometimes of friends and relations who have come expressly to see how "our John" will act his part. Poor John! How, inwardly, for the first time, he wishes his friends and relations were—somewhere else! He had rather the whole world had been there than that small family party, who themselves are indignant at the man-

ager for giving their relative such a little thing to do. And to think that this same mortification has to be repeated night after night, perhaps season after season! Do you not recognize other qualities that must now support him? Should he not have nerve and fortitude, and how seldom these are coupled with sensibility and imagination! By many failures he may learn to succeed, and thus find out what not to do, rather than what to do.

This, of course, is the darkest side of the picture; for, though the successes by persons going upon the stage without experience have been of rare occurrence, still we cannot deny that there have been several exceptions to place against the many failures. But, how small is the list! If all the failures could be collected, the line would "stretch out to the crack of doom."

But, to return to the dramatic aspirant. We all know the young man who calls after our early dinner—say about four o'clock, just as we are going to take our sacred nap—and craves our confidence. He fears his family will offer very serious objections to his entering the theatrical profession, and, of course, for their sake, as well as his own, he could not think of holding a subordinate position. It is true he has failed as a hatter, and his success in upholstery did not seem to place him in a position to be entirely punctual in the payment of his board. But he felt that he had that within him that could accomplish *Hamlet*. Such young persons should remember that some of the greatest actors have commenced by holding inferior positions. Many have failed year after year, and been utterly discouraged, until some fortunate character has brought out the latent strength within them.

My remarks must necessarily be general, for the value of any particular advice given to a person depends much upon that person's nature, his capabilities, and how far he has advanced.

Some actors are inspirational and inventive; others, again, require everything to be clearly mapped out, and a thorough plan of action arranged before they begin. The greatest excellence is attained when the mechanism forms the ground-work and base of the inspiration. If they go hand in hand, a harmonious performance is sure to be the result.

If you are unsuccessful as a poet, a painter, an architect, or even a mechanic, it is only your work that has failed; but with the actor it does not end here: if he be condemned, it is himself

that has failed. Then, too, he is present, and is the personal witness of the public's censure and his own mortification. He cannot, like the painter, rub out his work, or alter and improve it before it goes to the exhibition. The bad effect an actor has produced must stand against him. How necessary, then, it is that a clear and effective outline of his character should be sketched out and fully arranged before he exposes himself to this ordeal, or insults his audience by an undefined jumble of ineffective work!

The study of gesture and elocution, if taken in homeopathic doses and with great care, may be of service; but great effects can only be produced by great feeling, and, if the feeling be true and intense, the gesture and the elocution must obey it. It is safer, however, to study gesture and elocution than to study nothing. Better be pedantic and mechanical than indefinite and careless. The one at least shows a desire to please, while the other is insulting to an audience, and I don't believe that audiences ever forgive carelessness. Besides, elocution will at least assist one in articulation, and this important adjunct is too often slighted on the stage.

Look at an audience during a play, and you will see that many are leaning forward, with an expression on their faces as though they were hopelessly seeking for information. They seem careworn and unhappy. This despair occurs generally in the earlier scenes, when the spectators are not all in their seats, and attention is difficult because of the noise of folding-chairs; the rustle of Mr. Worth's silk dresses; the sudden desire to consult the play-bills, to discover what theater royal has lately been robbed of its artistic treasures; and, above all, the bobbing about of the late lamented Duchess of Gainsborough's irrepressible hat; for, though we are told that this graceful article forms a fine background to a lovely face, it is a bad foreground to a comedy. Now, as these difficulties are unavoidable and will occur, the actor must show his generalship and meet the foe. Instead, therefore, of beginning work in a timid, inane, and indifferent way, he should use precision, strength, articulation, and force, even beyond the requirements of the scene, in order that he may get the confidence of the audience, and, through this, their attention.

I have given no details here, because they could not be stated in writing. The few generalities that I have written

are the result of my experience, which, I dare say, will widely differ from that of others who may write on the same subject.

To those who may wish to follow the theatrical profession, and who have an earnest desire beyond the exhibition of their own vanity to study the art of acting for its sake, rather than for their own, I should desire to give all the information in my power; but to those who, having nothing else to do, and who desire to go upon the stage for amusement, I would give the same advice that "Punch" did to people about to marry—"Don't."

JOSEPH JEFFERSON.

MR. BARRETT.

EVERY gift, both mental and physical, that a bountiful nature can bestow upon a man will be found of use to the successful actor. No man, of course, has all these gifts; few have any of them developed to perfection. I do not think the question of bodily size has anything to do with success. There have been large generals and small generals. Salvini and the present Booth are great tragedians; yet the one is a large, the other a small man. It is necessary to have a good body, but it is also necessary to have an acute mind and an aptitude for your calling.

It would be best if the young man could start in a good school of actors, so that he might have none but good models to guide him. In the present constitution of our stage, that is an absolute impossibility. No matter what fitness a man might possess, he would now find it extremely difficult to get into a company of good actors to make a beginning. He can do the next best thing: he can go where he can get actual experience. That he can do where the standard is not particularly high. There, whatever talent he may possess will have a freer and a broader scope. He must commence at the bottom. No man can be an actor, or successful in any calling, who does not begin at the beginning and learn thoroughly the alphabet of his task. No qualification can overcome that necessity. But the man who has high qualifications has this advantage over the man who has not, that he can much more readily begin at the beginning than the man of ordinary ability. No man has ever yet clutched the diadem of success at "a single bound." Such a prodigy of genius may arise who shall be able to solve intuitively the

problems of art; but we have not yet seen him. The greatest actors have been the hardest workers.

The best school for the young actor is to put him at the hard work of the theater. His training must be essentially practical. No school of elocution, no training outside the theater can I regard as at all valuable. All teachers of elocution come to the theater for their models; why should the pupil go out of it for his? In other words, the novice will find in the theater exactly what he wants, if he knows how to get hold of it. The theater is the school of the actor; it furnishes the practical experience he needs, and it leaves the beginner ample margin for the exercise of his own genius beyond the lines within which he has been confined.

An actor can be great only in few parts. He may strive to succeed in many rôles, and his experience and personal qualifications will carry him a good distance toward success, but greatness lies for each man only in a certain groove. I am speaking now of all artists and not especially of tragedians.

Now, given qualification, given youth, the next things, of course, are culture and industry. What I mean by culture is exactly what the great painter means by it, who furnishes his mind, not only with the details of his art, but with all the collateral particulars that reflect upon his art. A great painter has not only a knowledge of his art, but is educated on all questions relating to his profession.

Industry in any art is generally the resource of those who are not gifted by nature for their calling. Give it to the qualified man, and the product is a Garrick, a Salvini, a Coquelin. But no fitness, no amount of genius will take the place of industry and culture. I can conceive no calling in which the necessity for labor—constant, enduring labor—is so great as that of the actor who would succeed in his profession. The man who familiarizes himself with the best things in literature and in all the arts, naturally raises his own standards, and his ideals become purer and higher. This knowledge will exhibit itself in every part in which he appears; it forms the unexplainable something which separates the man of great parts from the man of mediocre ability. These accomplishments refine the taste, and the influence of taste in the conception of character is a very important one. It separates the uncommon from the common. It refines the conception and adorns the performance. Refine-

ment exhibits itself in the voice, in the look, and in the gesture. Practice cultivates and strengthens the voice; it is the perfect utterance of the character. Its strength may be cultivated, its quality improved, but its fidelity in expressing the character of the man can never be changed.

The faults of any gifted person, man or woman, entering upon any calling, are the faults of over-doing, extreme anxiety, awkwardness arising from timidity, over-sensitiveness and inexperience. All these difficulties can be overcome by observation, industry, practice, experience and by the exercise of good taste. If one were asked for an illustration of good taste in acting, he might compare the performances of men like Mr. Jefferson, or Mr. Warren, with those of some comedians who preceded them.

The work of all great men is laid down absolutely by certain law; the presentation of it is often modified by the actor's feeling at the time. This may color the performance differently one night from the other, but it never alters the structure or form of it. In other words, genius in the dramatic art is, what some Frenchman has described it to be, in general terms, "that something" which goes on where talent leaves off. Actors are the most moody of people. Being men of sensitive organizations, and constantly called upon for high nervous effort, they are naturally creatures of mood, and subject to fits of exaltation and depression. Much also depends on the audience in the warmth or color of an actor's performance on any occasion. "An audience generally gets what it brings," Emerson says.

The danger to the young actor lies in his being too suddenly thrust forward in his career, in the whisperings of vanity which often lead him to mistake the applause of the audience, which has been really given for the sentiment of the author, as a tribute to his own merit, thus discouraging industrious effort on his part to reach higher planes. The actor who does not realize that each day ought to teach him something in his profession has reached a point where his place will soon be taken by others. The life of the actor is a constant and laborious struggle. The dramatic art is, in the words of Shakespeare, a mirror of nature. The actor holds that mirror up: it is therefore necessary that he should be familiar with the nature he is to represent. Only wide reading, large observation, intense industry and perseverance can keep him abreast with the knowledge of the nature of his time—its changing expressions and forms.

When once a character has been conceived, after mature thought, it should not be subject to change—that is the fixed quantity in dramatic art; elaboration in treatment and color will come after, with knowledge and experience. The main conception, if studiously and thoughtfully worked out, surely never changes.

At some time in his youth every actor is an imitator; but that habit is like a crutch, which he casts aside when he is able to walk by himself. That practice must not be understood as following tradition. Tradition, as applied to tragedy, means the physical lines in which old plays have been acted. Adopting these, the artist takes what serves the purpose of his own conception, and, if a great man, makes new ones for the next generation.

The absolute influence of the dramatic art to-day is greater than it ever was, and it seems, sometimes, as if it were the only real influence at work, in art, in the world. This is true, not only of America but of Europe—almost more true of Europe than of America. For this very reason the actor's calling is higher, and demands greater labor and sacrifice on his part. It calls for a better equipment, and he who does not rise to the necessity of greater industry in thus equipping himself will find himself distanced very early in the race. The actor who does not realize the greatness of his calling, the high estimate which wise men are placing upon it, and the warm interest which all moralists and scholars are taking in it, and does not govern himself thereby—keeping his own standard at least as high as the world's estimate of him, living an industrious, studious, clean life—is unfaithful to the trust which has been placed in his hands. His hours of study being given to those employments which are of service to him in his art, he will do well to be careful in the selection of companions for his hours of leisure. Every influence, public or private, which militates against the elevation of his own taste, and therefore, indirectly, against the improvement and advancement of his art, should be resisted and suppressed.

Greater *esprit de corps* should exist among the beginners in the theater. We owe it to our profession also that those who are admitted to its lower ranks should be subjected to the same scrutiny that candidates for college are obliged to undergo. If it were possible, we ought to be more careful about the fitness of

those who enter the profession, in order that the young actor might look forward to the glory of the career he hopes to make with the same pride that a veteran performer looks back upon the career he has made.

LAWRENCE BARRETT.

MISS MITCHELL.

IN speaking of success as an actress, I can only offer my own personal theories for what they are worth, and in no degree wish to be regarded as attempting to be an absolute professional authority.

To succeed on the stage, the candidate must have a fairly prepossessing appearance, a mind capable of receiving picturesque impressions easily and deeply, a strong, artistic sense of form and color, the faculty of divesting herself of her own mental as well as physical identity, a profound sympathy with her art, utter sincerity in assuming a character, power enough over herself to refrain from analyzing or dissecting her part, a habit of generalization, and at the same time a quick eye and ready invention for detail, a resonant voice, a distinct articulation, natural grace, presence of mind, a sense of humor so well under control that it will never run riot; the gift of being able to transform herself, at will, into any type of character; pride, even conceit, in her work; patience, tenacity of purpose, industry, good humor and docility. She must behave, in her earlier years, very much as if she were a careful, self-respecting scholar, taking lessons of people better informed than herself, with her eyes and ears constantly open and ready to receive impressions.

She should begin by getting, if possible, into a stock company, even in the most inferior capacity, keeping within reach of the influence of her home,—or by joining a reputable combination on the road. Managers, no matter what may be said to the contrary, are always eagerly looking for talent in the bud, and, if a young girl, with reasonable pretensions to good looks, who is modest and well-behaved, and shows the slightest ability with a common-sense readiness to begin at the bottom of the ladder, should offer herself for an engagement, the chances are that she would get it with much less difficulty than she imagined. There are, no doubt, numerous candidates, even for the smallest positions on the stage, but those who possess even moderate qualifications are extremely rare. Managers have, at present, to

take the best they can pick from a host of worse than interlopers.

I do not think that novices reap any practical benefit from private lessons. The neophyte learns not merely of her professional teacher, but of her audience; and to be informed by the one without being influenced by the other is to have very lopsided instruction. The stage itself is the best, in fact, the only school, for actresses. It is a profession made up of traditions and precedents and technicalities. Mere oral advice, or training in elocution or gesture counts for very little. They are, in fact, too often obstacles which have to be eventually and with difficulty surmounted. In some instances I have known "instruction"—of this sort—to bring about as prejudicial effects as if the victim had tried to learn the art of swimming at a dancing academy, and then put the knowledge thus gained into practice. The modulations of the voice and the language of illustrative gesture ought to be either taught by example or insensibly acquired by experience. To learn them by precept and rule has for a result, usually, that woodenness and jerkiness which one cannot help noticing in the "youthful prodigies" of the stage. To be an actress one has to learn other things than merely how to act, and that is why nobody ever succeeded in the profession who tried to enter it at the top.

When the aspirant begins her career, let her be neither so young that she will be called precocious, nor so advanced in years that her mind has lost its youthful elasticity. Eighteen, I think, should be the minimum age, because a girl has by that time outgrown the impulses and the unreasoning ardor of childhood, as well as acquired, if no more, at least a speaking acquaintance with the conditions of her existence. She ought to be able, at eighteen, to look out for herself, and to keep steadfast in the path she has decided to tread.

The early bent of her studies and reading should be precisely the same as that of any other woman aspiring to be liberally educated. She should, if possible, speak French, at all events read it. She should be familiar with English literature. She should cultivate an acquaintance, through books and otherwise, with the highest as well as the lowest forms of human society. Refinement and general information ought to be the characteristics of every actress.

Physical qualification in candidates for stage honors is

rather a delicate subject to discuss. It is absurd to try to ignore the fact that a woman's personal appearance is an important factor in the problem of her success upon the stage. An ugly woman, no matter how clever, is so heavily weighted in the struggle that it is hardly worth her while to continue it. Extraordinary genius, with the help of a friendly opportunity, has sometimes been able to combat the prejudice which opposes a homely woman. But the conflict is nearly always a hopeless one. And, I must confess, that this is only natural. An actress appeals to the eye almost as much as she does to the ear and to the judgment. She is a component part of one stage picture after another. As a figure in a tableau she is, of course, expected to be picturesque. To ask the spectator, therefore, to shut his eyes to her personal appearance is to exclude him from a large portion of the grounds on which he has a right to base his opinion. Besides, I have never been able to quite make up my mind as to what "dramatic genius" really is. I have been introduced to it so often in such different forms that I find it hard to positively identify it at any time. I believe, frankly, that a fair amount of comeliness is a necessary ingredient, and that without that fair amount the neophyte is just as much out of the competition as if she had a thin voice, a club-foot, or some variety of paralysis. Beauty alone makes but an imperfect impression. And, conversely, for an actress to be actually unprepossessing is to be so much short of artistic perfection and completeness.

There can be no denial of the fact that the tendency of American actresses is to be too lavish and sumptuous in matters of dress. The European stage does not offend in that direction, and the American public is certainly not so foolish as to mistake the gorgeousness of bad taste for real elegance and luxury. There has been during the last four or five years, in my own experience, quite a revulsion in favor of simple and judicious costuming on the stage.

The faults to be avoided by a young actress are, so far as her private life is concerned, those that should be avoided by any other young woman. In her profession she should try to avoid envy and jealousy; she should apply all her energies to acquiring technical education by experience, and she should not, therefore, be frivolous or careless. She should, in public, attempt with all her might to be as other women are. One of the

saddest features of my profession is its tendency to confuse the mind of young beginners with regard to what they ought and what they ought not to do outside the theater. I have seen innocent but foolish young girls involuntarily announce, by their dress and their behavior in public vehicles, that they were "professionals." Without being conscious of so offending against themselves and their art, they exhibit such incongruities and such "loud" taste in their attire, such demonstrativeness and such indifference to censorious observation in their manners, that I have over and over again been both pained and ashamed. The greatest and most dangerous fault that a beginner can commit is to gradually ignore the fact that she ought to be a lady always,—an actress only during the performance of her part.

As for the parts, Shakesperean and otherwise, which a neophyte should study, I can only say (without speaking in the name of my profession) that in these days a young girl need not confuse or overload her mental digestion with any such diet. Shakesperean plays are hardly ever produced, and the "standard drama" should be mastered by degrees in actual performance upon the stage. The day has gone by when it was necessary for an actor or an actress to have a full repertoire. The combination system has reduced such once needful equipments to mere lumber which takes up more room (mentally) than it is really worth.

The morals of actresses are very much like the morals of other people. "Society," as it calls itself, is pretty accurately reflected in every particular by the stage. My sisters of the profession are neither better nor worse than my sisters of the world outside. They labor under a double disadvantage. They are not only subjected to severer temptations (both positive and negative) than most other women, but in the fierce white light which beats upon them their mere weaknesses are magnified into flagrant immorality.

It would be bold for me to pretend to descry the chances of success for the actress of the future. It is a lottery, this profession of ours, in which even the prizes are, after all, not very considerable. My own days, spent most of them far from my children and the comforts and delights of my home, are full of exhausting labor. Rehearsals and other business occupy me from early morning to the hour of performance, with brief intervals for rest and food and a little sleep. In the best hotels my time is so invaded that I can scarcely live comfortably, much

less luxuriously. At the worst, existence becomes a torment and a burden. I am the eager, yet weary, slave of my profession, and the best it can do for me—who am fortunate enough to be included among its successful members—is to barely palliate the suffering of a forty weeks' exile from my own house and my family.

For those of our calling who have to make this weary round, year after year, with disappointed ambitions and defeated hopes as their inseparable company, I can feel from the bottom of my heart. Each season makes the life harder and drearier; each year robs it of one more prospect, one more chance, one more opportunity to try and catch the fleeting bubble in another field.

MAGGIE MITCHELL.

MR. WARREN.

IT is with a feeling of considerable diffidence that I give my views on the subject of success as a comedian. It is true that I came from a theatrical family, and that I have been for many years before the public; but it must also be borne in mind that I have been connected with one theater for a very long time, and have not had the opportunity of seeing much acting. Such opinions as I give here are based, therefore, more on personal experience than on observation.

It may be said, at the outset, that the chances for a young man to succeed in the profession at the present time are much better than they were years ago when I began my career; or, to speak with greater accuracy, a young man can progress more rapidly now than he could in the old times. But the rule which was followed then still holds good, viz.: he should become, if possible, a member of a stock company. There are very few theaters run on that principle at the present time, and it is unfortunate, both for the actor and the public, that such is the case. The system certainly tends to make a poorer set of actors, for it cannot be expected that a young man playing a single part for two or three years, in a traveling company, will become symmetrically developed as a comedian. If the aspirant cannot enter a stock company, then he will have to join one of the combinations and work his way up from the foot of the ladder. In old times that meant years of hard toil at poor pay. At the present time, if a young man has the necessary talent it

will not only be quickly recognized but liberally rewarded. To illustrate: there was an actor of very ordinary parts in one of the leading theaters of the city in which I live. He was finally cast for a character in which he displayed real comic genius. His ability was recognized on the instant, and he was at once engaged by one of the New York managers at a liberal salary. But such success as this should not make a young man forget that it is best to begin at the foot of the ladder, and make himself, by practical experience, a thorough master of all the details of the profession.

I cannot say that I would advise any young man to enter what is commonly called "the variety profession," but I must confess that there are some actors in that line whom I regard as very clever; they possess an amount of ability which should encourage them to leave their positions and do better work on the legitimate stage.

It is to be supposed that the successful comedian has some natural talent, or genius; though I think the better way to express the idea is to say that he should have a real, genuine appreciation of the humorous and grotesque in life, and the magnetic power to make others feel as he feels. This does not mean that he should be what is commonly called "a funny man." Liston, one of the greatest comedians, was as serious as an owl off the stage, and the oft-repeated story about the comedian who went to a doctor, and who was advised by the medical man to go and see himself perform, will occur to the reader.

No special physique is required for success as a comedian. Charles Matthews's father said once, "Only fancy a fat man being a comedian!" And yet there was John Reeve, a remarkably good comedian, and Keeley,—both Englishmen, and both fat,—and in our own country we have had Burton. On the other hand, Charles Matthews was thin, but that did not detract from his popularity. He was an actor of eccentric characters, but the same rule would hold good as to low comedians.

All young actors start by being imitators of some famous actor. This is natural. The beginner admires some old comedian who has attained success, and, for a while, he almost unconsciously imitates his peculiar style and mannerisms. The old actor furnishes him his ideal; but, gradually, as he becomes more experienced, the young man will (at least he should) form a style of his own, which, in course of time, will be distinct and

pronounced, with scarcely a tinge of the mannerisms of his prototype. It may be said, therefore, that all acting is based on tradition. All the young tragedians, at one time, were mere imitators of Forrest, but the successful ones soon formed a style of their own.

The true comedian should have the gift of, so to speak, getting out of himself into somebody else; he will endeavor to enter heartily into the spirit of the character he represents. He will dress the character correctly, but will not rely upon grotesqueness of costume, or an undue amount of grimacing to provoke laughter on the part of the audience. And it is a fault that young comedians are too apt to fall into: the habit of over-acting, over-dressing, and over-grimacing. Under such conditions acting ceases to be comedy; it is burlesque. The aim should be to display, in a legitimate and natural manner, the humor of the character the man represents, not the humor of the man who represents it,—to bring out all the comicality that the author has intended. An actor very often adds to the text, and this may be admissible in some cases, but I think that, as a rule, Shakespeare's advice about speaking the piece as it is written should be remembered. While following the idea of the author in presenting the character, the comedian will often find help from looking into real life. How much assistance he will derive in this way it is, of course, impossible to say, being a purely personal matter and dependent entirely on his powers of observation, his judgment and good taste. Though the characters on the stage are idealized forms of real life, yet they have a basis of fact in human existence as we see it around us, and the comedian who is a shrewd observer of human nature will not fail to find much that he can utilize.

In playing the same part many times in succession, some comedians have maintained that it is best to play it in precisely the same way; others are in the habit of making slight departures from their original conception of the character, and have relied more on the inspiration of the moment to carry them through successfully than upon any set method of action. There is much to be said on both sides of the question. The truth is, it is so largely a matter of individual temperament that no general rule can be given. However, the comedian who plays the same part in the same manner at each representation must find his work easier; he knows, too, exactly what he has

to do, and he can probably, in most cases, get nearer the mark of perfection than if he relies on the idea of spontaneity.

The spread of literary culture has probably had the effect of making some of the old, broad, comic plays distasteful to many. Humor more delicate, more refined, is appreciated, and, as a consequence, it would seem that the comedian of the future, to be legitimately successful, must not only have an inborn talent for the profession, but must constantly bear in mind that he should not rely on many of the old methods which pleased the audiences of years ago.

WILLIAM WARREN.

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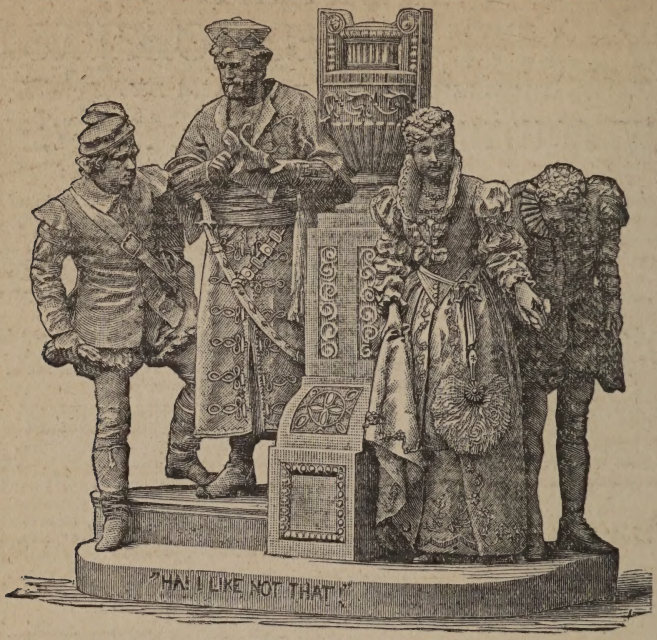

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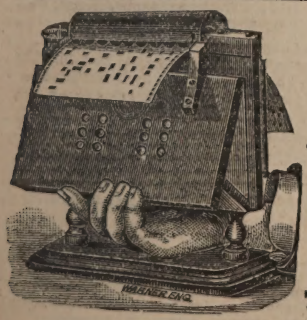

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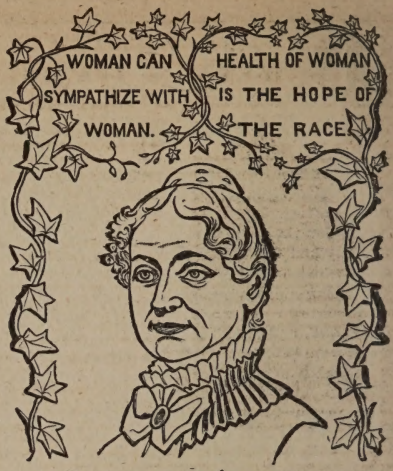

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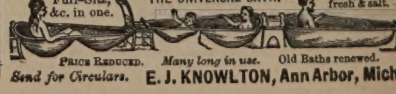

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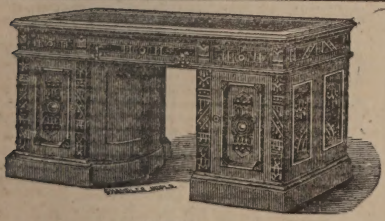

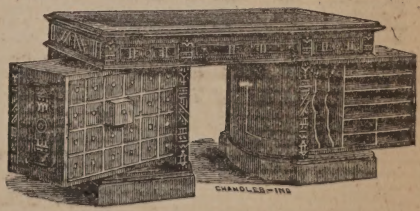

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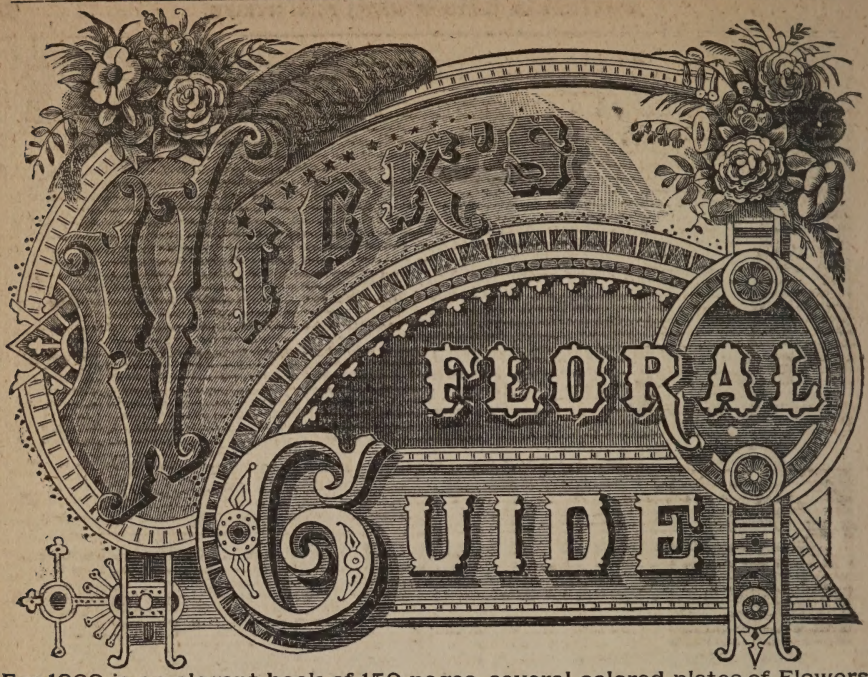

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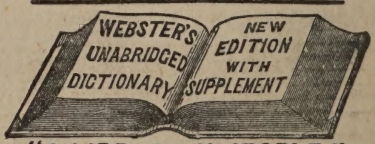

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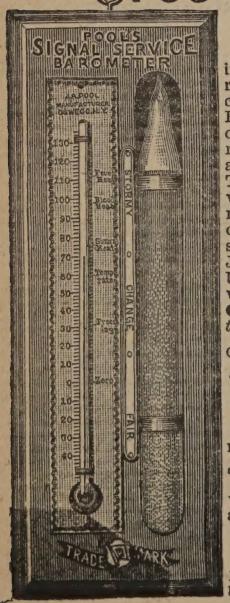

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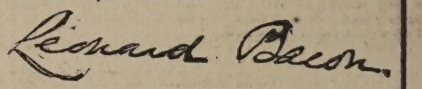

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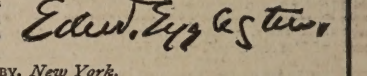

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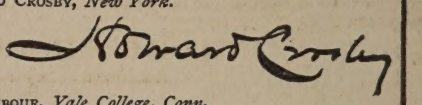

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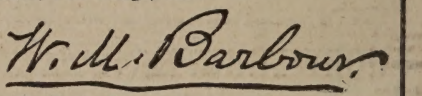

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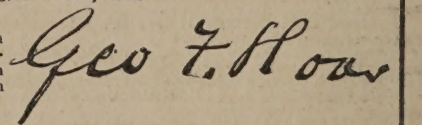

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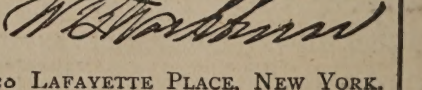

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